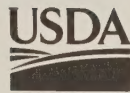


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United States  
Department of  
Agriculture

Animal and  
Plant Health  
Inspection  
Service

APHIS 41-35-054

# Animal Welfare Report

## Fiscal Year 1997

Report of the Secretary of Agriculture  
to the President of the Senate and  
the Speaker of the House of Representatives





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Each year, the Secretary of Agriculture reports on administration and enforcement activities under the Animal Welfare Act (AWA) (7 U.S.C. 2131 et seq.) as required by Section 25 of the AWA. The present report covers fiscal year (FY) 1997, from October 1, 1996, through September 30, 1997.

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*Animal Welfare: List of Registered Research Facilities*  
*Animal Welfare: List of Licensed Exhibitors and Registered Exhibitors*  
*Animal Welfare: List of Registered Carriers and Intermediate Handlers*



## LETTER FROM THE SECRETARY: A NEW REPORT FOR A NEW ERA

You may have noticed the new look of this report. As in past years, it still provides all of the data on our inspection and enforcement actions. However, it also provides indepth coverage of the initiatives we have launched to make better use of our resources and improve our enforcement of the Animal Welfare Act (AWA). Our goal in doing this is simple: we want to provide you not only with the numbers but also with insights into the numerous behind-the-scenes changes we have made to improve our administration of the law.

Indeed, we initiated so many new business practices during fiscal year (FY) 1997 that it may be remembered as the year a new era in AWA enforcement was born. One of these changes involves our inspections.

After 30 years of focusing almost entirely on conducting as many inspections as possible, we shifted our strategy to conducting fewer but more indepth inspections, particularly of those licensees and registrants who historically had compliance problems. This approach resulted in a slight decrease in the overall number of inspections but a significant increase in the amount of time spent inspecting facilities. We used this time to take a closer look at licensees' and registrants' animals, facilities, and records.

Similarly, we redirected our enforcement efforts away from a rigid, one-size-fits-all philosophy to a flexible approach that evaluates cases on their individual merits. This approach enables us to work with individuals who recognize their errant ways and want to improve the welfare of their animals. At the same time, it allows us to impose stringent sanctions on licensees and registrants who continue to show little or no effort to provide better care or housing for their animals. Also, we have significantly reduced a backlog of AWA cases that developed over the past several years and the time it takes to resolve cases.

Under our umbrella strategic direction initiative, we also began preparing our Animal and Plant Health Inspection Service's (APHIS) Animal Care (AC) program for the 21st century. This change initiative involves employees from all levels of the program and is aimed at making AC a recognized leader in the field of animal welfare.

In FY 1997, we advanced the initiative in many ways, such as equipping all AC field personnel with laptop computers on which they now generate inspection reports and developing a formal risk-based inspection system that will eventually enable us to direct our limited inspection resources where they are needed most. In fact, Vice President Gore made parts of the strategic direction initiative a reinvention laboratory because of its innovative approach to improving AWA enforcement.

Complementing this initiative were several special projects. These projects include the launching of a quarterly report to the program's stakeholders—a sign of our increased emphasis on public outreach. Animal Care also increased efforts to partner with its sister program, Veterinary Services, in inspecting animal handlers at airports.

Perhaps most impressive, however, was our ongoing effort to trace back dogs and cats sold by class B dealers to research facilities. In FY 1997, we were able to trace back an impressive 95.5 percent of animals sold to research to their original source—up from approximately 40 percent in FY 1993.

We believe all these efforts are leading to one positive end: improved welfare for all animals protected under the AWA. And we remain committed to improving our operations even further in the coming years. We hope you enjoy this new format for the Animal Welfare Report and find it helpful in providing a comprehensive perspective on our AWA enforcement efforts.





## THE AWA: A LEGISLATIVE AND REGULATORY HISTORY

### **The Law**

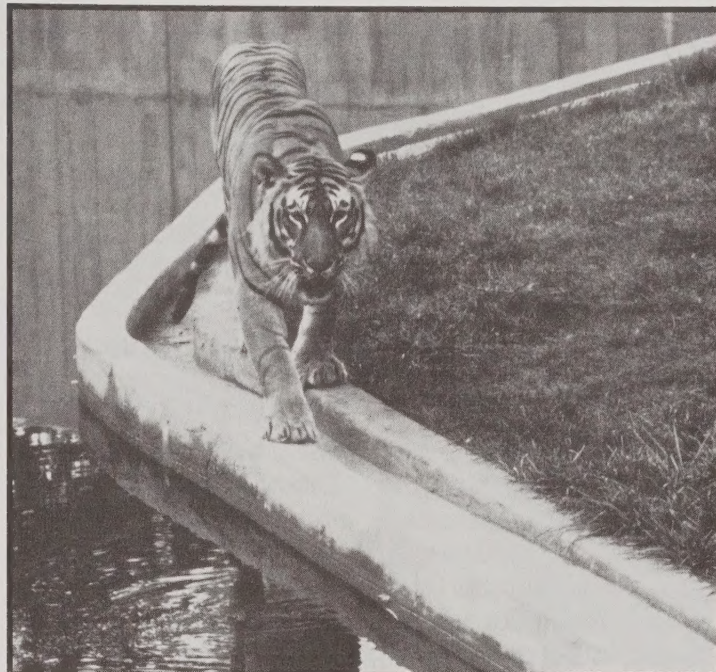
In 1966, Congress enacted Public Law (P.L.) 89-544, known as the Laboratory Animal Welfare Act. This law regulated dealers who handle dogs and cats as well as laboratories that use dogs, cats, hamsters, guinea pigs, rabbits, or nonhuman primates in research.

The first amendment to the Laboratory Animal Welfare Act was passed in 1970 (P.L. 91-579) and changed the name of the law to the Animal Welfare Act (AWA). This amendment authorized the Secretary of Agriculture to regulate other warmblooded animals when used in research, exhibition, or the wholesale pet trade.

An amendment in 1976 (P.L. 94-279) prohibited most animal fighting ventures and regulated the commercial transportation of animals. Another amendment was added to the AWA in 1985 as the Improved Standards for Laboratory Animals Act, which was part of the Food Security Act. These amendments required the Secretary to issue additional standards for the use of animals in research.

In 1990, provisions concerning injunctive relief and pet protection were added to the AWA. These two provisions were included in the Food, Agriculture, Conservation and Trade Act of 1990. The injunctive relief provision authorizes the Secretary to seek an injunction to stop certain licensed entities from continuing to violate the AWA while charges are pending. (Injunctions are used in cases of stolen animals and where an animal's health is in serious danger or may become endangered.)

The pet protection provision mandated that the Secretary issue additional regulations pertaining to random-source dogs and cats. (Random source means "dogs and cats obtained from animal pounds or shelters, auction sales, or from any person who did not breed and raise them on his or her premises.")



### **The Regulations**

USDA is charged with developing and implementing regulations to support the AWA. These regulations, which appear in Title 9, Code of Federal Regulations (CFR), Chapter 1, Subchapter A, Parts 1-3, require the licensing of animal dealers, exhibitors, and operators of animal auction sales where animals regulated under the AWA are sold. (Birds and laboratory rats and mice are not currently included in the regulations.)

Licenses are valid unless the licensee terminates the license voluntarily or fails to renew it or an administrative law judge suspends or revokes the license in an enforcement proceeding. Licensing fees for dealers and exhibitors are determined by a graduated schedule listed in the regulations [9 CFR 2.6(5)(c)]. Dealers pay between \$30 and \$750, and exhibitors pay between \$30 and \$300 per year. These fees are deposited as miscellaneous receipts in the U.S. Treasury.

The regulations also require all carriers, intermediate handlers, and exhibitors not subject to licensing and all non-Federal research facilities to register with the Secretary of Agriculture. There is no charge to register. Table 1 in the appendix provides a list of the number of licensees and registrants for each State in the country.

All licensees and registrants must provide their animals with care that meets or exceeds USDA's standards for veterinary care and animal husbandry. These standards include requirements for handling, housing, feeding, sanitation, ventilation, shelter from extreme weather, veterinary care, and separation of species when necessary.

Over the years, USDA has made substantive changes to the AWA regulations. In the late 1980's, USDA amended the requirements pertaining to the use of animals in research. These amendments, in response to the Improved



Standards for Laboratory Animals Act, established standards for the exercise of dogs and psychological well-being of nonhuman primates. The amendments also set standards to minimize the pain and distress of animals; ensure the proper use of anesthetics, analgesics, and tranquilizers; and require researchers to consider alternatives to painful procedures.

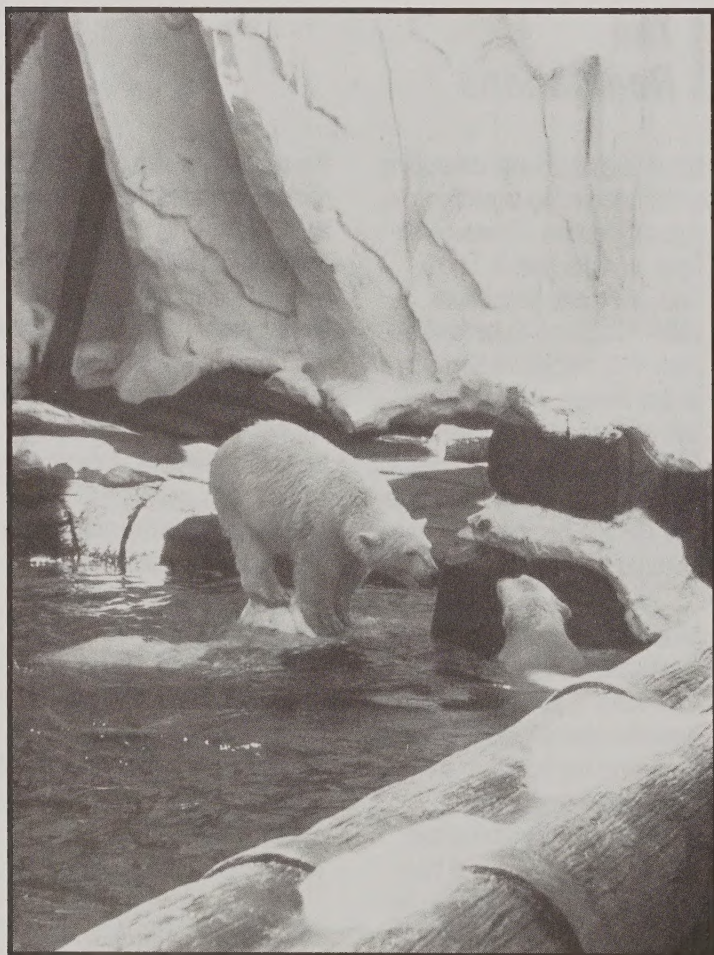
To ensure that these standards are met, the amendments require each research facility to establish an Institutional Animal Care and Use Committee to approve and monitor all research conducted at the institution. USDA published the final regulations for parts 1 and 2 of Title 9, CFR, Chapter 1, Subchapter A, on August 31, 1989; those for Part 3 were published on February 15, 1991.

In June 1990, USDA began regulating horses used for biomedical or other nonagricultural research and other farm animals used for biomedical or other nonagricultural research or for nonagricultural exhibition. Currently, the standards in Title 9, CFR, Chapter 1, Subchapter A, Part 3, Subpart F, apply. USDA is considering establishing specific standards for these animals.

In 1993, USDA established holding periods for animals in pounds and shelters and certification requirements to ensure that animals have been held for the duration of these periods. The regulations were published as a final rule on July 22, 1993, and became effective August 23, 1993.

In FY 1997, USDA published a final rule that removed the provisions allowing the permanent tethering of dogs as a means of primary enclosure. The temporary tethering of dogs for health or other reasons is permitted if licensees obtain approval from their AC inspector or regional office. The final rule on this matter went into effect September 12, 1997.

USDA published revised standards for guinea pigs, hamsters, and rabbits in final form in the *Federal Register* on July 15, 1990. These standards increased the minimum space requirements and provided additional requirements to protect animals being transported via common carrier.





## HOW USDA ADMINISTERS THE LAW

### **Animal Care**

Within USDA, APHIS' Animal Care (AC) program is responsible for administering the AWA. AC's mission is to provide leadership in establishing acceptable standards of care and treatment and to monitor and achieve compliance through educational and cooperative efforts.

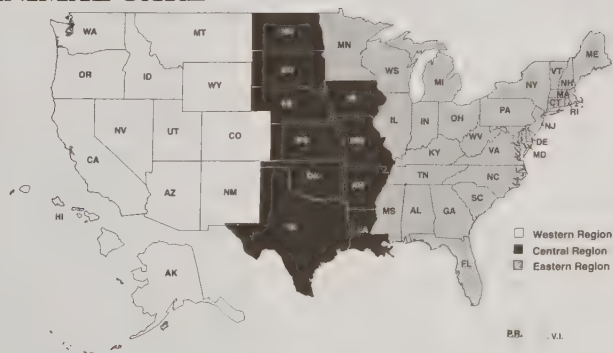
The AC program is headquartered in Riverdale, MD, and has three regional offices in Annapolis, MD, Fort Worth, TX, and Sacramento, CA. These offices are charged with enforcing the AWA in each of their respective areas. The map on this page shows AC's regional structure. The box on the right provides the addresses, phone numbers, and fax numbers for all AC offices, as well as AC's home page on the World Wide Web and e-mail address for incoming correspondence.

Each regional AC office employs a cadre of field veterinary medical officers and animal care inspectors. The number of field inspectors at the end of FY 1997 was 72. These employees are highly qualified and have an excellent professional support system and communication network. Many also have specialized interest and expertise in such areas as the care of laboratory animals, zoo animals, or marine mammals.

In enforcing the AWA, APHIS inspectors work closely with other Federal agencies and frequently interact with regulated professional groups, industry organizations, humane groups, the scientific community, and other concerned associations or individuals. In FY 1997, AC personnel attended about 450 industry training sessions and meetings and gave presentations at 70 of them.



### ANIMAL CARE



### USDA-APHIS-ANIMAL CARE

#### Headquarters Office

4700 River Road, Unit 84  
Riverdale, MD 20737-1234  
Phone: (301) 734-4981  
Fax: (301) 734-4978

#### Eastern Region

2568-A Riva Road, #302  
Annapolis, MD 21401  
Phone: (410) 571-8692  
Fax: (410) 224-2854

#### Central Region

P.O. Box 6258  
Fort Worth Federal Center,  
Building 11  
Fort Worth, TX 76115  
Phone: (817) 885-6910  
Fax: (817) 885-6917

#### Western Region

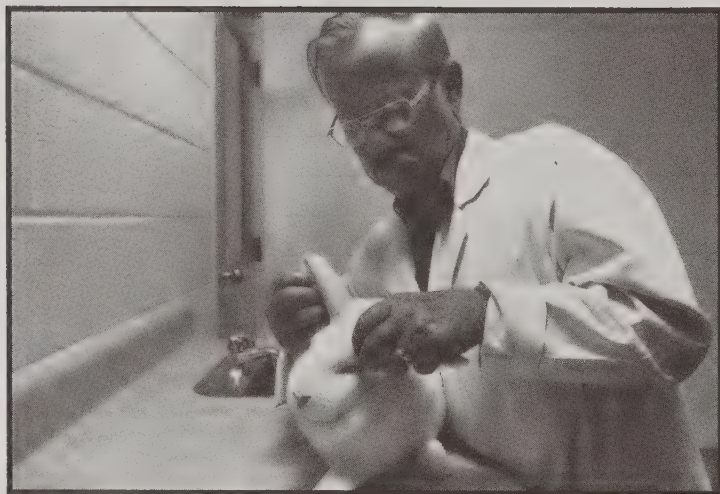
9580 Micron Ave., Suite J  
Sacramento, CA 95827  
Phone: (916) 857-6205  
Fax: (916) 857-6212

#### World Wide Web Homepage

[www.aphis.usda.gov/ac](http://www.aphis.usda.gov/ac)

#### E-mail Address

[ace@aphis.usda.gov](mailto:ace@aphis.usda.gov)



## ***Investigative and Enforcement Services***

Complementing AC's efforts is APHIS' Investigative and Enforcement Services (IES) program. IES supports all APHIS programs in the goal of enhancing compliance with agency regulations. Toward this end, IES utilizes comprehensive investigations and sound enforcement actions. IES also

works closely with USDA's Office of the General Counsel, other Federal agencies, State and local governments, and industry groups. IES is headquartered in Riverdale, MD, and has regional offices in Annapolis and Fort Worth.

## ***Animal Welfare Information Center***

The National Agricultural Library's (NAL) Animal Welfare Information Center (AWIC) also supports AC's efforts. AWIC was established in December 1986 to provide valuable information pertaining to possible duplication of research involving animals, methods of humane animal care and use, alternatives to the use of live animals in research, and methods to minimize pain and distress to animals. AWIC also provides materials for the training of personnel and other products and services that support the administration and regulatory requirements of the AWA.

The Center is located in Beltsville, MD. The box in this column provides AWIC's street address and telephone number, as well as its e-mail address.

## ***AC's New Management Team***

In FY 1997, APHIS appointed a new and energetic management team for AC. This team is led by Dr. Ron DeHaven, the current Acting Deputy Administrator. DeHaven was head of AC's Western Sector Office from 1988 until his move to AC headquarters in November 1996. Supporting DeHaven are three new regional directors: Dr. Elizabeth Goldentyer in the Eastern Region, Dr. Walter

Christensen in the Central Region, and Dr. Robert Gibbens in the Western Region. Gibbens and Goldentyer were formerly supervisory officials in the old AC Western Sector and Southeast Sector offices. Christensen was head of the former Central Sector office. All are veterinarians with many years of experience with AC and extensive knowledge regarding the AWA.

## ***Animal Care Appropriations for FY 1997***

In FY 1997, the AC program received appropriations totaling about \$9 million for activities related to animal welfare. The table below shows APHIS' animal-welfare-related appropriations for FY 1993 through FY 1997.

### **APPROPRIATIONS FOR ANIMAL WELFARE,**

FY	Annual appropriation for enforcement of the Animal Welfare Act
1997	\$9,182,000
1996	\$9,185,000
1995	\$9,262,000
1994	\$9,262,000

### **USDA-NAL-AWIC**

AWIC Coordinator  
National Agricultural Library  
10301 Baltimore Blvd.  
Beltsville, MD 20705  
(301) 504-6212

### **E-mail**

[awic@nal.usda.gov](mailto:awic@nal.usda.gov)



## INSPECTION HIGHLIGHTS

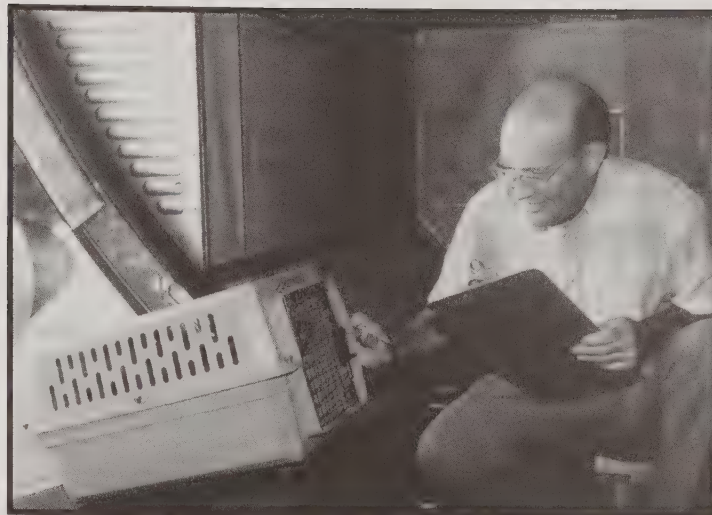
AC personnel perform three major types of inspections: prelicensing and preregistration inspections, unannounced compliance inspections, and auction market observations. The personnel also attempt to conduct numerous inspections that cannot be performed for various reasons, such as a facility being closed on the day of an unannounced inspection.

AC personnel perform prelicensing inspections of dealers and exhibitors prior to granting them licenses to determine whether they are in compliance with the AWA. Preregistration inspections are not required under the Act, but many facilities request AC's consultation. Whenever possible, the program honors these requests to promote the highest level of compliance.

Unannounced compliance inspections are performed at the facilities of all licensees and registrants to ascertain whether they are operating within the regulations. The AWA requires that APHIS perform at least one compliance inspection per year at each research facility that uses animals in experimentation. Agency policy currently sets the same minimum for all other regulated entities using animals.

If conditions are discovered during these inspections that are not in compliance with the regulations, AC either establishes a deadline for correcting these items or, for violations that cause unnecessary suffering or death, immediately investigates the matter. Inspectors are required to reinspect any facilities where deadlines are given. If the conditions remain uncorrected, AC documents them for possible legal action.

Auction market observations are conducted to determine whether animals covered under the AWA are receiving care that meets the standards and regulations. They are also performed to examine buyers' and sellers' acquisition and disposition records for AWA regulated animals.



### **APHIS' New Inspection Strategy: More Indepth Inspections**

In fiscal year 1997, AC modified its inspection strategy. After 30 years of focusing on conducting as many inspections as possible, the program began performing

more indepth inspections—particularly of those licensees and registrants who historically had compliance problems.

The result is a slight decrease in overall number of inspections but a significant increase in the amount of time spent inspecting individual facilities. AC used this time to more carefully inspect licensees' and registrants' animals, structures, and records—an

#### **PRELICENSING/PREREGISTRATION INSPECTIONS, FY 1995-97**

FY	Total	Prelicensing inspections of		Preregistration inspections of
		Dealers	Exhibitors	research facilities
1997	2,150	1,525	589	36
1996	1,932	1,355	533	44
1995	1,934	1,369	529	36

#### **COMPLIANCE INSPECTIONS, FY 1995-97**

FY	Total facilities (sites)	Total compliance inspections
1997	7,819 (10,534)	12,057
1996	7,837 (10,366)	12,635
1995	7,721 (10,108)	14,722

#### **AUCTION MARKET OBSERVATIONS, FY 1995-97**

FY	Total auction market observations
1997	77
1996	59
1995	91

approach that APHIS firmly believes makes better use of AC's inspection resources.

AC is also planning additional enhancements to its inspection procedures in the coming years to further utilize the program's limited inspection resources. These include a risk-based inspection system that will determine the inspection frequency for licensees and registrants based on a number of objective criteria, including their past compliance history.

The next tabulation details the number of inspections of licensees and registrants conducted during FY 1997. Subsequent tabulations chronicle the number of different types of inspections conducted from FY 1995 through FY 1997.

<b>FY 1997 AWA INSPECTIONS</b>			
	Total number of facilities and (sites) <sup>1</sup>	Number of inspections by category	
<b>Inspections for Compliance<sup>2</sup></b>			<b>Other Types of Inspections</b>
Dealers	4,043 (4,387)	5,385	Prelicensing and preregistration inspections
Research facilities	1,243 (2,410)	2,645	
Exhibitors	2,128 (2,540)	2,851	Auction market observations
Intransit handlers	309 (465)	275	Attempted inspections of dealers and exhibitors
Intransit carriers <sup>3</sup>	96 (732)	901	
<b>Total</b>	<b>7,789 (10,534)</b>	<b>12,056</b>	<b>Total</b>
			<b>3,841</b>
			<b>Total of Inspections for Compliance and Other Inspections</b>
			<b>15,898</b>

<sup>1</sup> See the glossary of terms for the definition of "site" and "facility."

<sup>2</sup> Inspections for compliance are unannounced inspections and reinspections. These do not include prelicensing or preregistration inspections, auction market observations, or attempted inspections. (Prelicensing/preregistration inspections are announced. Observations of licensed and unlicensed auction markets are made to locate unlicensed dealers. Attempted inspections could not be performed for

certain reasons—usually because there was no one available at the facility when the inspector arrived unannounced.)

<sup>3</sup> Intransit Carriers is a category representing commercial airlines. Each airline may have two or more animal transportation sites at each airport it serves. Due to frequent changes in airline activities and other factors, the number of sites may vary.

## Summary of Complaints and Searches

In addition to inspections, AC personnel routinely conduct searches for unlicensed or unregistered persons. They also investigate public complaints to determine whether regulated animals are receiving proper care and/or the animal owner(s) should be licensed or registered. The next tabulation documents the number of searches and public complaints AC handled in fiscal years 1995 through 1997.

<b>COMPLAINTS INVESTIGATED AND SEARCHES MADE, FY 1995-97</b>		
FY	Complaints	Searches
1997	463	1,330
1996	508	1,420
1995	566	1,728



## **AC Inspectors Go Beyond the Numbers**

AC inspectors routinely do exceptional work that goes beyond the call of duty and is not reflected in the numbers above. The vignettes below describe three of these exceptional efforts.

- In mid-1997, a small aquarium in Maine went bankrupt and was taken over by the Small Business Administration (SBA), placing in jeopardy two old harbor seals that were long-time residents at the facility. In response, the AC inspector in the area visited the facility several times to check on the seals and assure that they were receiving the special treatment they needed.

He also worked with the owners, caretakers, and auctioneer hired to sell the animals to ensure that the seals would not be auctioned off as property, and he cooperated with the Department of Commerce's National Marine Mammal Fisheries Service, which oversees the transfer of such animals. With his assistance, the harbor seals were subsequently transported to a new facility.

- In August, the heatwave that plagued the Midwestern United States worried AC's inspector in southern Illinois. He was aware that one of his licensees, who owned a cougar and several bobcats, was hiding from the law and was not providing his animals with proper care. The inspector became even more concerned when he spoke to family members and found that the licensee was not around during the day to provide water to his cats.

Working with State wildlife officials, the inspector provided water to the cougar and bobcats in the middle of a 100-degree day. In a followup visit the next day, the inspector and State officials persuaded the owner to relocate the animals to another licensee's facility. The inspector has since assisted in the relocation of the animals, and formal investigation of potential AWA violations has been completed and is under Departmental review.



- In the summer of 1997, a licensee in Colorado abandoned his facility, placing the health of his exotic cats in jeopardy. In response, several AC field personnel worked with officials from Alamosa County, the Pueblo Zoo, and The Humane Society of the United States to remove about 30 large felines from the facility.

To expedite the removal, one of AC's inspectors made several visits to the facility—some coordinated with the Colorado Division of Wildlife, a local veterinarian, and the Alamosa County Sheriff. All of the felines are now housed at USDA-licensed facilities in good standing. An investigative case on this matter is under Departmental review.

## INSPECTIONS BY BUSINESS TYPE

### Licensed Dealers

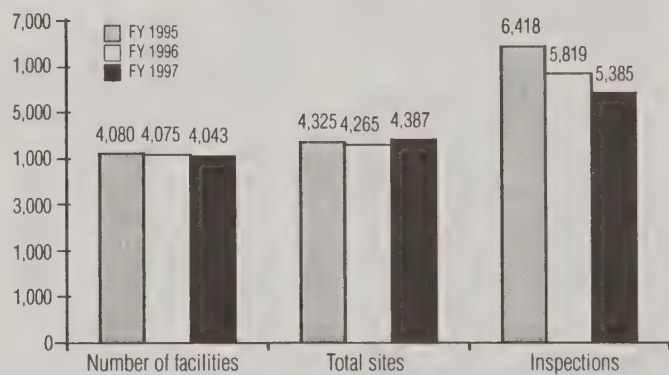
Dealers are individuals who sell regulated animals for research or teaching; wild or exotic animals for exhibition or as pets; or domestic pet animals in wholesale channels.

There are two classes of dealer licensees. Class A licensees are those individuals who deal only in animals that they breed and raise. Class B licensees include brokers, operators of auction sales, and "bunchers."

The numbers of Class A and B licensed dealers and sites for FY 1995 through 1997 are listed below. The number of inspections conducted during the same period is shown on chart 1. It should be noted that, of the 1,099 Class B dealers, APHIS estimates that fewer than 40 supply dogs and cats to research.



**A AND B DEALERS, FY 1995-97**



Numbers from Work-Based Budget System (WBBS) reports

**LICENSED DEALERS, FY 1995-97**

FY	Total dealers (sites)	Class A dealers (sites)	Class B dealers (sites)
1997	4,043 (4,387)	2,996 (3,151)	1,047 (1,236)
1996	4,075 (4,265)	2,976 (3,043)	1,099 (1,222)
1995	4,080 (4,325)	2,967 (3,056)	1,113 (1,269)

Chart 1



## Animal Exhibitors

Animal exhibitors may either be licensed or registered under the AWA. Licensed exhibitors are those entities that either obtain or dispose of animals in commerce or exhibit them for compensation. Registered exhibitors do not buy, sell, or transport animals and do not accept compensation.

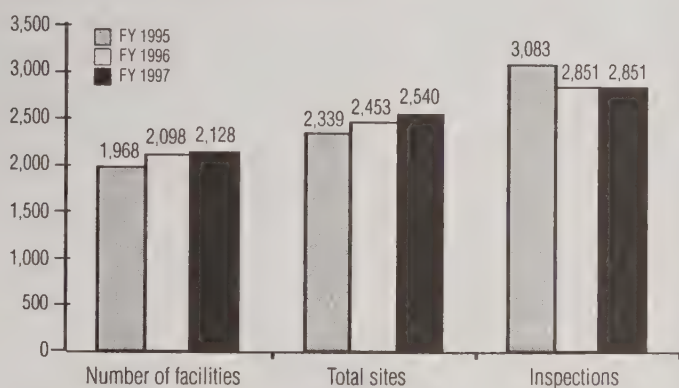
Licensed exhibitors typically operate animal acts, carnivals,

circuses, public zoos, "roadside zoos," and marine mammal displays. Many of the animals exhibited are species not native to the United States (e.g., nonhuman primates and exotic cats), but exhibited species may also include domestic farm animals and wild animals native to this country.

Listed below are the number of exhibitors and sites regulated from FY 1995 through 1997. Chart 2 shows the number of inspections for the same period.



### EXHIBITORS, FY 1995-97



Numbers from Work-Based Budget System (WBBS) reports

Chart 2

### REGULATED EXHIBITORS, FY 1995-97

FY	Exhibitors		
	Total exhibitors (sites)	Licensed (sites)	Registered (sites)
1997	2,098 (2,540)	2,105 (2,510)	23 (30)
1996	2,098 (2,453)	2,073 (2,422)	25 (31)
1995	1,968 (2,339)	1,937 (2,304)	31 (35)

## Carriers and Intermediate Handlers

Carriers registered with USDA include airlines, motor freight lines, railroads, and other shipping businesses. Registered intermediate handlers are ground freight handlers. Intermediate handlers usually provide services for animals between consignor and carrier and from carrier to consignee. They also care for animals delayed in transit.

The numbers of sites and registered carriers and intermediate handlers for FY 1995 through 1997 are listed below. Chart 3 shows the number of carrier and intermediate handler inspections for the same period.

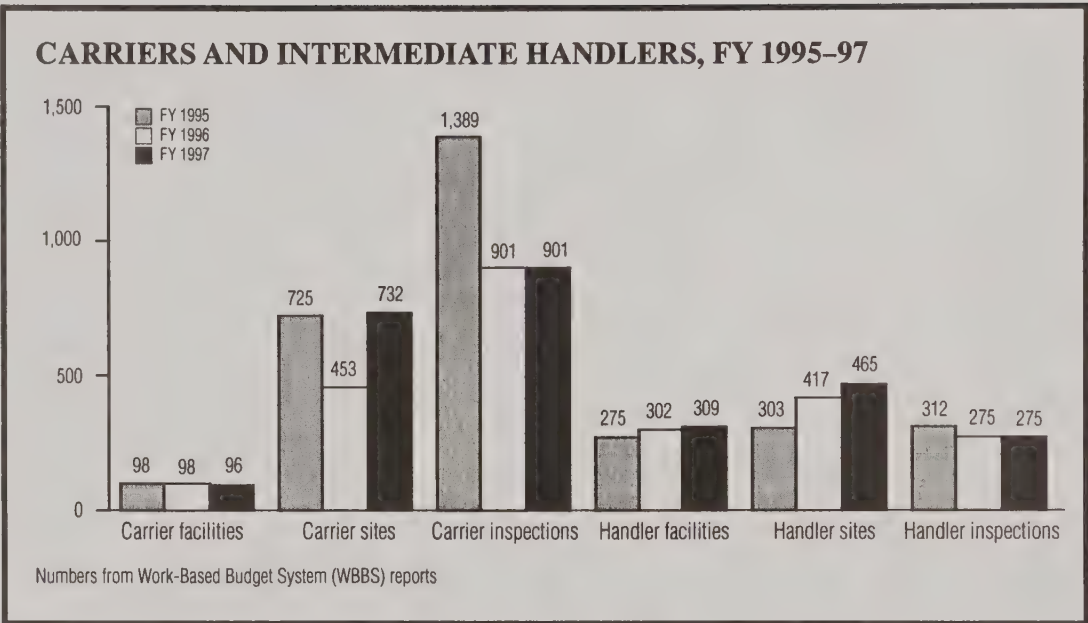


Chart 3



### SITES AND REGISTERED CARRIERS AND INTERMEDIATE HANDLERS, FY 1995-97

FY	Registered carrier (sites)	Intermediate handlers (sites)
1997	96 (732)	309 (465)
1996	98 (725)	302 (417)
1995	98 (453)	275 (303)



## Research Facilities

Research facilities that use animals include hospitals, colleges and universities, diagnostic laboratories, and many private firms in the pharmaceutical and biotechnology industries.

All research facilities are required to comply with the AWA's regulations. Even though Federal facilities are not registered or inspected under the AWA, they are responsible for maintaining

compliance with the AWA's regulations and standards. The AWA requires that non-Federal research facilities receive at least one unannounced inspection per year to determine compliance.

Listed below are the number of research facilities and sites for FY 1995 through 1997. Chart 4 shows the number of inspections of research facilities conducted during this period.

### REGISTERED RESEARCH FACILITIES, TOTAL SITES AND INSPECTIONS, FY 1995-97

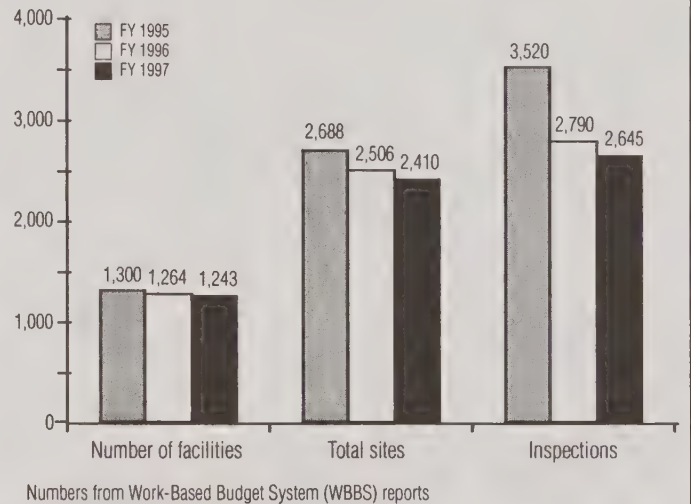


Chart 4

### REGISTERED RESEARCH FACILITIES AND SITES, FY 1995-97

FY	Total facilities	Total sites
1997	1,243	2,410
1996	1,264	2,506
1995	1,200	2,688



## Reports From Research Facilities

Each research facility registered under the AWA and each Federal research facility is required to submit an annual report, signed and certified by the Institutional Official, covering the previous fiscal year. The report lists the number and species of animals used in research, testing, and experimentation, and indicates whether pain-relieving drugs were administered. If such drugs were not administered, the report must explain why their use would have interfered with the research or experiment.

The report must also assure that professionally acceptable standards, including the appropriate use of pain-relieving drugs, were followed and that each principal investigator considered alternatives to painful or distress-causing procedures.

Moreover, the report must demonstrate that the facility adhered to the AWA regulations or that any exception to such adherence was justified by the principal investigator and approved by the Institutional Animal Care and Use Committee prior to experimentation.

Chart 5 shows the number and species of animals used in research during FY 1997. This number excludes birds and laboratory rats and mice, as well as farm animals used exclusively in agricultural research. Chart 6 shows the number of animals used in research that involved no pain or distress, or that involved pain

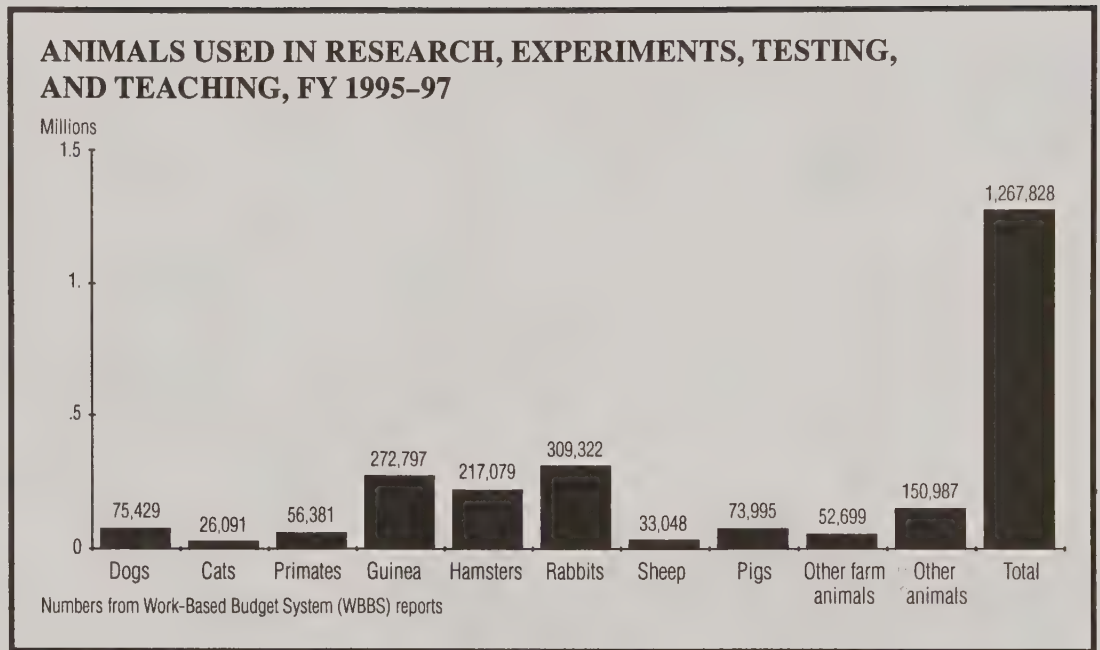


Chart 5

or distress alleviated with drugs, or that involved pain or distress without relief because use of pain-relieving drugs would interfere with the results of the research or testing.

Tables 1 through 5 of the appendix contain further details. Table 6 reports the total of animals used by research since this report was first published in 1973.

In FY 1997, there were 128 research facilities whose data are not included in this report because they either did not submit a report or submitted it too late for tabulation. Of these facilities, 95 were Federal facilities, and 33 were non-Federal.

It is a violation of the AWA for a facility, whether active or inactive, not to submit a timely report. AC initiated the appropriate corrective actions.

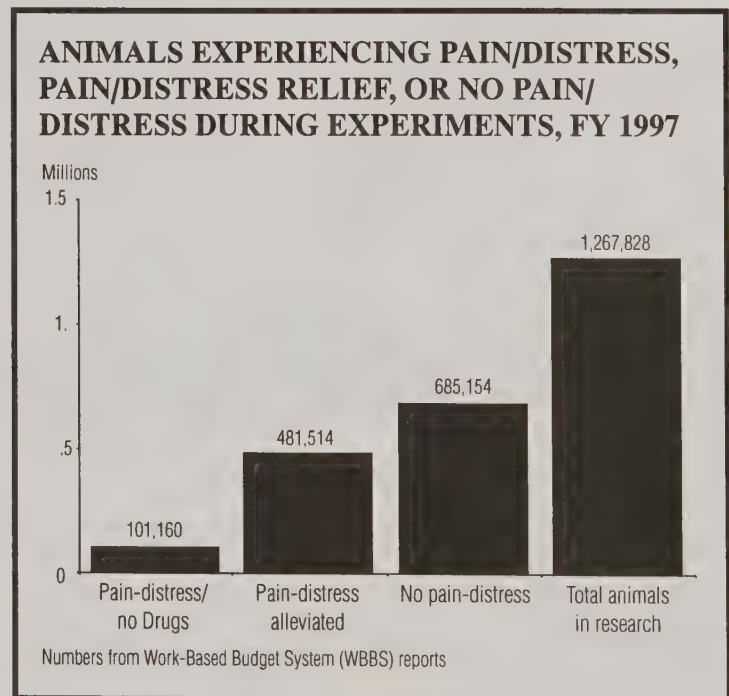


Chart 6



## ENFORCEMENT HIGHLIGHTS

APHIS' IES personnel investigate alleged violations when corrective measures have not been taken by licensees or registrants to come into compliance with the AWA.

Investigations disclosing violations are acted on in a variety of ways depending on their severity. Many infractions can be settled with an official notice of warning or a stipulation offer. (Stipulations allow alleged violators to pay a fine, have their license suspended,

or both, in lieu of formal administrative proceedings.)

Cases warranting formal prosecution undergo Department-level review for legal sufficiency prior to issuance of a formal administrative complaint. Formal cases may be resolved by license suspensions, revocations, cease-and-desist orders, civil penalties, or combinations of these penalties through administrative procedures.

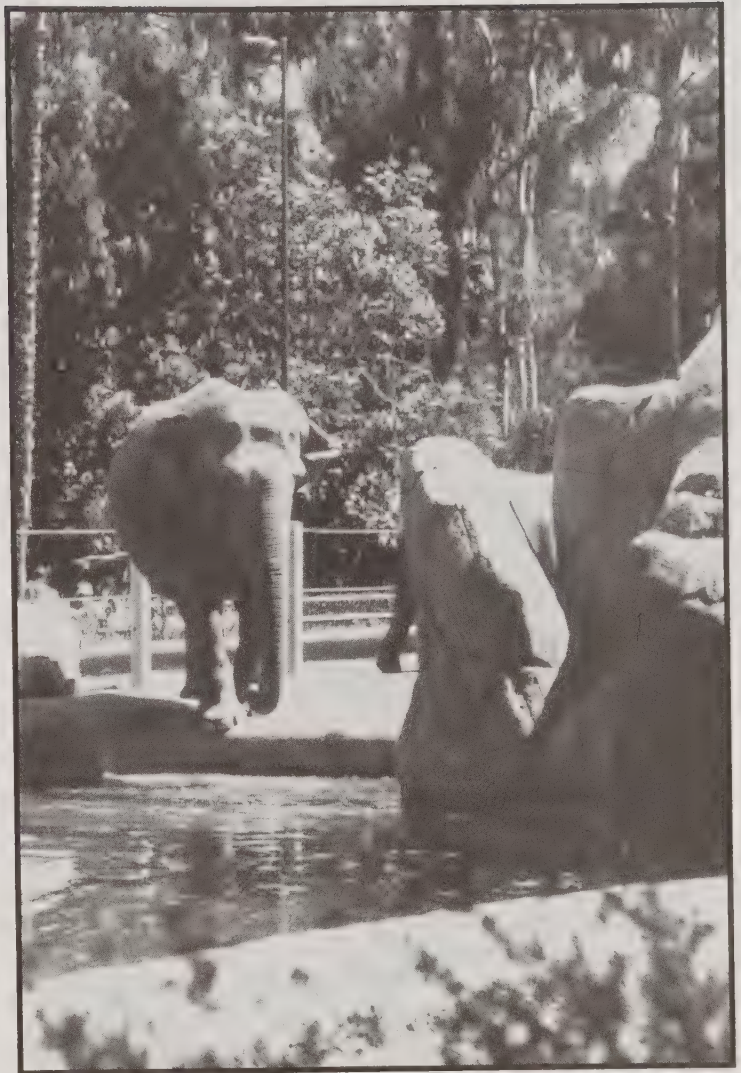
### **APHIS' New Enforcement Strategy**

FY 1997 was an extremely successful year from an AWA enforcement perspective. The major reason for this success was AC and IES' new two-pronged enforcement strategy.

For licensees and registrants who show an interest in improving the conditions for their animals, AC and IES actively pursue innovative penalties that allow the individuals to invest part or all of their monetary sanctions in facility improvements. In doing so, USDA enables the individuals to immediately improve the conditions for their animals while sending a clear message that future violations will not be tolerated. In the past, most such fines were either suspended or paid directly to the U.S. Treasury but neither of those results directly improved the plight of the violators' animals.

On the other hand, for licensees and registrants who do not improve the conditions for their animals, AC and IES move swiftly and pursue stringent enforcement action. Such action typically includes significant monetary penalties and/or license suspensions or revocations. It may also include confiscation of their animals and relocation to another facility if the animals are found to be suffering.

AC's strategy focuses on making the welfare of the animals the top priority in all enforcement actions. The examples that follow highlight cases from the past year that illustrate both components of AC and IES' new enforcement strategy.



### **Innovative Penalties**

- In February 1997, APHIS settled a case with a large registered research facility for a \$30,000 fine—\$20,000 of which was required to be used to purchase supplies, perform facility maintenance, and provide training to employees. AC had cited each of these areas as being in need of improvement to ensure compliance with the AWA.
- In March 1997, APHIS settled a case with an animal exhibitor for \$6,000 and a 30-day license suspension. Of the \$6,000 civil penalty, \$3,000 had to be used for facility improvement to address noncompliant items pertaining to pest control, housing, and food storage.
- In June 1997, APHIS and a licensed dealer settled a case for a civil penalty of \$4,000. Of that sum, \$3,000 had to be used for facility improvements to address AC inspectors' concerns with housing and waste disposal at the facility.

## Swift and Stringent Enforcement

- In April 1997, APHIS settled a case with a licensed animal exhibitor whose citations included mistreatment and unsuitable facilities for animals. APHIS' goal was to remove the animals from the person's possession as quickly as possible. Accordingly, under the settlement, the agency required the licensee to immediately surrender his license and all of his animals that were covered under the AWA.
- In September 1997, APHIS' case against a class B animal dealer for more than 1,500 AWA recordkeeping violations came to an end with a permanent revocation of the dealer's license and a \$175,000 fine to be paid in full. The dealer had been charged with, among other things, selling dogs and cats to research facilities under falsified documents and maintaining false acquisition records for dogs.
- In a landmark case still pending at the end of FY 1997, APHIS was seeking a permanent revocation of an exhibitor's license and substantial monetary penalties for alleged AWA violations pertaining to the movement of elephants and llamas across the southwestern United States in the summer of 1997. The movement of the animals resulted in the death of one of the elephants.

The case is significant not only in terms of penalties sought but also in the swift manner in which it was handled. By making this case a top priority, APHIS was able to complete its investigation and file formal charges within 3 weeks, whereas this process typically takes several months. APHIS was also able to obtain an administrative hearing within 2 months, a process that normally takes more than a year.

## The High-Priority Designation

An important component of AC and IES' new strategy is the high-priority designation for certain cases. Cases are deemed high priority based on the following criteria:

- Severity of animal suffering (death or severe injury),
- Past compliance history of facility,
- Potential public or animal safety or health concerns,

- Abusive or potentially violent nature of licensee or registrant,
- Type of facility and species of animal involved, and
- Media, public, or animal protection group interest.

When a case is given this designation, AC, IES, and USDA's Office of the General Counsel put special emphasis on the investigation and enforcement of a case to expedite its resolution. This measure has been successful in shortening the timeframes of significant cases and providing quicker relief for animals protected under the AWA.

## The Bottom Line: A Reduced Backlog of Cases and Significant Sanctions

Through this new strategy, the AC and IES staffs and the Office of the General Counsel have been able to virtually eliminate the backlog of AWA cases awaiting resolution through the formal administrative process. The result should be shorter timeframes for prosecuting future cases and the ability to expedite high-priority cases.

In addition, APHIS obtained more than \$800,000 in monetary penalties. The agency required licensees and registrants to put more than \$75,000 of these penalties into facility renovations, employee training, and other areas to improve the conditions for their animals.

The next tabulation provides detailed information on the number of enforcement actions conducted and resolved during FY 1997. In the tabulation, it should be noted that "Cases Submitted," "Cases Resolved," and "Sanctions Imposed" are those actions that actually occurred during the fiscal year even though many of the settled cases were submitted in previous years. This numerical disparity occurs because it takes a case considerable time to work its way through the legal system and appeals process.

### NUMBERS OF ENFORCEMENT ACTIONS CONDUCTED AND RESOLVED, FY 1995-97

#### Cases Investigated and Reviewed

FY	Cases	Submitted to IES staff	Submitted for formal prosecution
1997	365	118	58
1996	370	126	78
1995	425	150	79

#### Cases Resolved

FY	Official warnings	Stipulations offered/settled	Administrative law judges' decisions
1997	167	86/49	98
1996	182	85/45	84
1995	263	131/85	35

#### Sanctions Imposed

FY	Fines imposed by administrative law judges	Fines imposed by stipulation	Revocations, suspensions, and disqualifications
1997	\$822,200	\$46,240	43
1996	\$1,002,250	\$48,340	29
1995	\$401,750	\$49,975	19



## CHARTING THE FUTURE: AC'S STRATEGIC DIRECTION

In April 1996, AC launched its strategic direction initiative to examine all aspects of program operations and identify areas for improvement. Specifically, the initiative focused on enhancing statutory, regulatory, and procedural authorities; providing proactive leadership in establishing acceptable practices of animal care and treatment; maximizing resources for enhanced program delivery and efficiency; responding to external concerns and expectations through objective action; and empowering, supporting, and developing employees. To support this initiative, AC established nine employee-based work teams to make each component in the strategic direction a reality.

- *Internal and external training* is developing training and outreach programs for AC inspectors and AWA licensees and registrants, respectively.
- *Horse protection* is developing a strategic plan that will leverage our enforcement resources through partnership with industry. This plan will be published early in calendar year 1998.
- *Program results monitoring* is measuring service delivery and customer satisfaction and identifying areas for improvement.

- *Animal Care management* is monitoring overall program operations throughout the country and identifying areas for increasing efficiency and effectiveness.
- *Revised inspection procedures* is identifying areas for improving existing inspection methods.
- *Regulation, Act, and policy* is identifying areas where the existing laws, regulations, and policies can be modified or enhanced.
- *Animal Care manual* has revised the AC policy manual and is developing an inspector reference manual.
- *Computer oversight* is identifying ways to improve AC's computer data base and information system and to apply greater computer technology to AC's field activities.

These teams have made tremendous progress in improving AC's program delivery. The remainder of this section discusses their significant accomplishments during FY 1997.



## Performance-Based Management

Under the Government Performance and Results Act, AC has taken an active role in measuring its effectiveness in meeting the AWA's mandate. Toward this end, AC has identified seven specific performance indicators: percentage of facilities in compliance, percentage of animals affected by noncompliance, average number of days until a case is resolved, percentage of employee participation in the inspection quality and uniformity program, and average customer satisfaction with the AWA regulations, the program's informational materials and electronic access, and overall program delivery.

AC is also working to establish baseline levels of performance for each of these indicators and goals for improving in the future. For the first three indicators, AC is using its Licensee Application and

Registrant Information System (LARIS) data base, which provides historical inspection data. Through this system, AC has already established a baseline for the percentage of facilities in compliance (55.7 percent) and a goal (60 percent) for FY 1999. AC is currently gathering baseline data for the other two indicators.

For the fourth indicator, AC has developed an Inspection Quality and Uniformity Program. This program will provide inspectors from different regions of the country the opportunity to work together to exchange ideas, identify any disparities in inspection procedures, and provide recommendations to management. AC's baseline level of participation in this program is 4.2 percent. It has set an ambitious goal of increasing this to 50 percent by FY 1999.

## Customer Satisfaction Counts

To measure the final three indicators, AC carried out a massive survey in February 1997 of 3,700 randomly selected facilities licensed or registered under the AWA. More than 2,100 people responded to the survey, which asked them to rate the program on 13 different performance measures using a 5-point scale with 5 being excellent and 1 being poor. The average response for each measure is listed in chart 7, along with the average for all of the measures combined.

Based on survey responses, AC officials have established baseline performance levels and goals for

the final three GPRA indicators. AC is seeking to improve its rating on informational materials and electronic access from 3.24 to 4.0, its rating on the effectiveness of its regulations from 3.58 to 4.0, and its overall customer satisfaction rating from 3.59 to 4.0. All of these goals are set for FY 1999. AC will survey the same licensees and registrants at that time to measure its progress. In addition, AC intends to survey the animal welfare community in the future to obtain their ratings of program operations. At the end of FY 1997, this survey was still being developed.

## Inspecting Based on Risk, Not Numbers

As noted earlier in this report, AC is actively moving away from an inspection system that measures performance based solely on numbers of inspections conducted. The new focus is on conducting more indepth inspections and targeting those facilities with the greatest risk of possible AWA violations and/or incidents involving injury to humans or animals.

The result is AC's risk-based inspection system, which is in the final stages of development. This system uses several objective criteria, including past compliance

history, to determine the inspection frequency of each licensed and registered facility. For example, facilities that meet all of the criteria would qualify for low inspection frequency and be subject to inspections once every 3 years. Facilities that met few or none of the criteria would qualify for high inspection frequency and be subject to inspections at least every 6 months. AC, of course, remains committed to inspecting research facilities once a year, as required under the law.

This approach is significantly different than inspecting each facility once a year regardless of its past compliance history and the potential risk to animals and/or humans. We believe it is an equitable and objective way to make better use of our increasingly limited resources while maintaining continued protection for animals covered under the AWA.

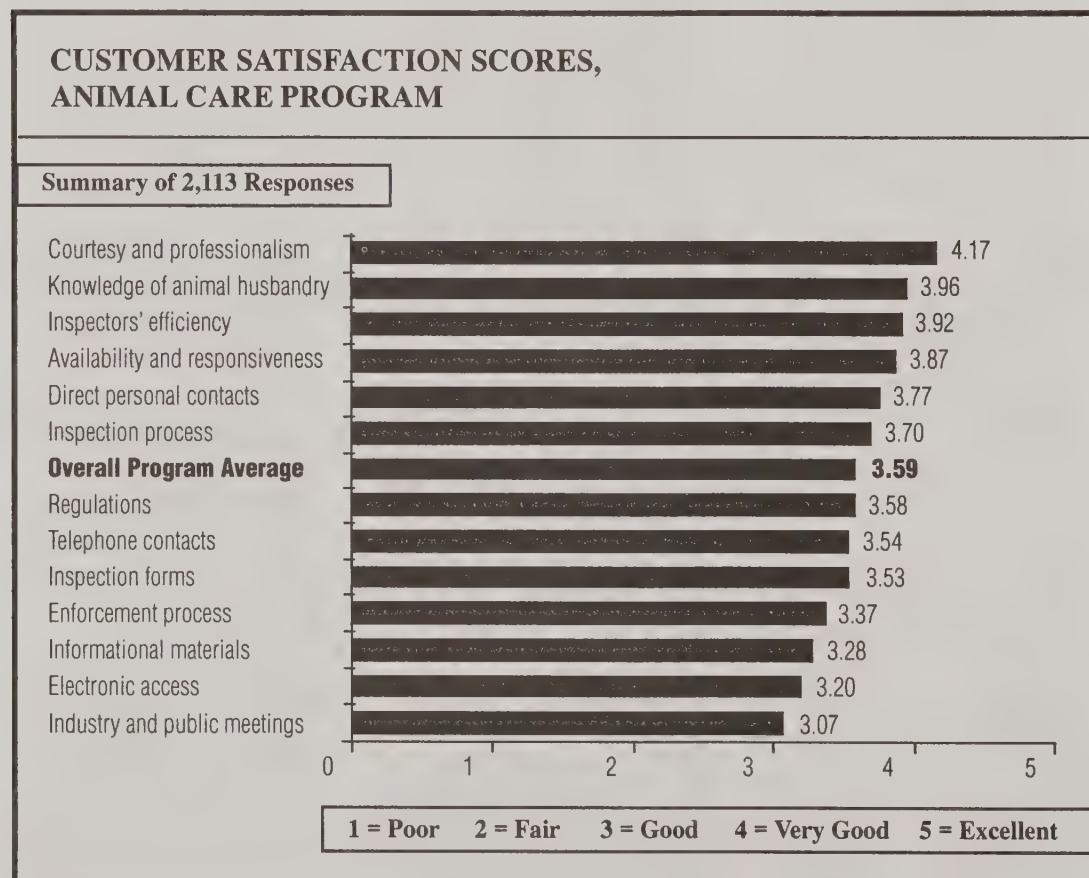


Chart 7





## ***New, User-Friendly Inspection Reports***

To make them easier to read and understand for all users, AC has developed a new narrative format for its inspection reports. These reports now provide a list of any items that are not in compliance (either newly or previously cited) and a narrative description of the citation. They also reference the specific section of the AWA regulations under which the noncompliant item has been cited.

Equally beneficial, AC is automating these new report forms so that inspectors enter data by typing, not handwriting, it. Soon, the days of having to interpret an inspector's writing will be long gone.

## ***Bringing the Field Force Into the Electronic Age***

To support the use of the new inspection reports, AC equipped all of its field personnel with laptop computers during FY 1997 and supplied training on how to use them. These computers enable field inspectors to generate their reports either onsite at a licensee or registrant's facility or immediately after inspecting the facility.

Computers will also eliminate the costly practice of having inspectors manually write out reports only to send them to the regional offices to be typed into the computer. Eventually, reports will be entered once into the LARIS data base, saving AC the expense of a duplicative process. These funds can be redirected toward operational activities rather than administrative expenses.

To further support its field force, AC has also equipped its inspectors with fax machines and dedicated phone lines and is adding e-mail capability. These resources enable field personnel to communicate better internally with other inspectors (including their strategic direction team members), the regional offices, and AC headquarters. The new equipment also helps personnel improve communication with the program's external stakeholders, including other Federal and State agencies and regulated parties.





## ***Paving the Way for Input From the Field***

To keep current with the program's regulatory needs, AC has established a formal system for receiving input from its field personnel on the front lines. Through this system, AC's field force can make suggestions and

provide input on legislative, regulatory, and policy changes. By the end of FY 1997, field personnel had offered more than 40 suggestions, 6 of which are being studied for possible regulatory changes.

## ***New Complete and Concise Policy Manual***

In May 1997, AC published a new policy manual that consolidates and replaces all previous memoranda and response letters. The policies are intended to increase the quality and uniformity of AWA reports, inspections, and enforcement. They also are the first part of AC's effort to develop a program manual with workable, comprehensive, and user-friendly guidelines.

AC's policies explain, clarify, and interpret existing AWA standards and regulations. Although primarily for the use of AC inspectors, the new policies are available to all program stakeholders upon request and via AC's homepage on the World Wide Web.

## ***Environmental Enrichment for Primates***

Based on the results of a survey on performance-based standards published in December 1996, AC began developing guidelines for the environmental enrichment of nonhuman primates. These guidelines will provide both AC inspectors and regulated parties

with a uniform and well-understood set of principles as to what constitutes adequate environmental enrichment. When complete, the guidelines will be a valuable tool for improving the enrichment provided to nonhuman primates at regulated facilities throughout the United States.



## SPECIAL INITIATIVES

In FY 1997, AC pursued many operational enhancements that did not fall within the scope of its

strategic direction. These projects all come under the broad rubric of special initiatives.

### ***Class B Dealer Traceback Reaps Benefits***

Since FY 1993, APHIS has conducted an intensive traceback effort of dogs sold by random-source, class B animal dealers. These dealers, who supply animals to the research community, typically obtain them from pounds and shelters, pet owners who wish to relinquish ownership, and other legitimate sources. However, there has always been concern that these dealers may be trafficking in stolen animals.

Under the AWA, random-source dealers are required to maintain accurate records of the acquisition and disposition of their animals. APHIS' traceback effort has focused on making sure these records are accurate and complete. To make this effort effective, APHIS

has conducted quarterly inspections of all random-source dealers since the traceback project went into effect in 1993.

The fruits of this effort have been tremendous. From FY 1993 through 1997, the percentage of animals traced back to their original source has increased from a little more than 40 percent to more than 95 percent. At the same time, the number of random-source dealers has decreased from more than 100 to fewer than 40, largely due to AC's stringent enforcement efforts. Moreover, the number of class B dealer investigations has decreased from a high of 260 in 1992 to just over 50 in this fiscal year.



### ***Testing for Tuberculosis (TB) in Elephants***

To protect the health of elephants exhibited in America, AC worked with several industry organizations throughout FY 1997 to develop guidelines for routine TB screening of these animals. The guidelines, if adopted, would become part of the "adequate

veterinary care" standard under the AWA and would specify acceptable testing methods, minimum treatment regimens, and restrictions on travel for elephants that test positive for TB. At the end of FY 1997, these guidelines were near completion.

## ***APHIS Staff Assists AC With Airport Inspections***

During FY 1997 and 1997, AC conducted a pilot program to assess the feasibility of using personnel from APHIS' Veterinary Services (VS) program to assist with inspections of commercial airlines. During the 6-month program, 16 VS employees in 3 States (Kentucky, South Carolina, and North Carolina) were given both formal and on-the-job training, and they conducted more than 40 inspections. These inspections were mainly of personal pets being shipped as baggage or cargo, which AC otherwise could not have inspected because of resource constraints.

The final evaluation of the pilot program showed that six airports, which had previously not been routinely inspected by AC, received inspections and educational visits. In addition, VS inspectors identified two unregistered carriers and two shipments with AWA violations. Based on these impressive results, AC and VS have signed a formal Memorandum of Understanding that now enables VS employees to conduct airport inspections and other types of limited inspections throughout the country. We firmly believe that this will afford AC the opportunity to leverage its enforcement activities without increasing its cost of doing business.





## PUBLIC OUTREACH

In FY 1997, AC carried out numerous outreach activities, including launching a multiyear public affairs campaign to educate and inform all program stakeholders about the AWA and AC's

role in enforcing the law. To support this effort, the program is upgrading all of its existing public affairs materials and producing new products where needed.

### **AC Report Provides Program Insights**

In March 1997, the *Animal Care Report* was the first product to roll off the press under AC's new public affairs campaign. This quarterly report, which provides brief overviews on all key issues affecting AC's administration of the AWA, is mailed at no charge to program stakeholders to keep them up to date on current program

initiatives. Editions of the report were prepared in March, June, and September and mailed to more than 1,500 subscribers. The report is also posted on APHIS' World Wide Web site. From the agency's homepage, the embedded search engine will take users directly to previous and current issues.

### **Safe Pet Travel Promoted**

In September 1997, AC launched a key component in its public affairs campaign: an initiative to educate members of the general public about traveling safely with their pets. To support the campaign, AC distributed three different informational pieces—a new, full-color brochure that gives an overview of both the AC and airline requirements for transporting animals on commercial airplanes, a factsheet that contains similar information, and a sticker labeled "Live Animals" to place on kennels to meet the AWA requirements.

AC is also promoting its toll-free, 24-hour, automated telephone voice response service (800-545-USDA). This service provides information on the humane handling of cats and dogs during transport, including the AWA requirements for temperature, shipping documents, food and water, and cage sizes. Designed to be user friendly, the service is recommended for inclusion in training courses for airline cargo handlers, ticket agents, and supervisors.



### **AC Jumps on the Electronic Superhighway**

AC is also improving communication with stakeholders via its World Wide Web site. AC's site (<http://www.aphis.usda.gov/ac>) provides information on the AWA regulations, a list of available AC publications, and much more. It is also linked to numerous other

sites of organizations involved in animal care and well-being. In the summer of 1996, AC's missing pets page—a part of the Web site developed by an AC headquarters employee—was highly acclaimed for the important service it provides pet owners.

## Assisting the Media

In FY 1997, AC assisted media officials in various ways. Altogether, the program fielded about 1,000 calls from members of the media and issued approximately 120 press releases. Most of these releases provided information concerning enforcement actions taken against licensees and registrants (such as settlements, fines, suspensions, and confiscations). The other releases concerned matters such as AC's notice on the Doris Day Animal League petition and request for information pertaining to the training and handling of potentially dangerous wild or exotic animals.

AC personnel also gave numerous local and national television, radio, and newspaper/magazine interviews on various issues relating to the AWA. These included interviews with CNN, CBS, *The New York Times*, *The Wall Street Journal*, and most other national media outlets.

## Answering Public Inquiries

During FY 1997, APHIS received and responded to thousands of inquiries about animal welfare from individual citizens, concerned groups, the Office of the President, and Members of Congress. Other Federal agencies also refer animal welfare concerns to APHIS for response. The next tabulation lists the numbers of animal welfare inquiries received by APHIS during FY 1995 through 1997.

## AC Joins the E-FOIA Universe

In FY 1997, AC launched a project that will eventually make most program information available via the World Wide Web. Under the project, AC has already made the names and locations of all licensees and registrants available. It is also making the

most recent inspection reports for these individuals available and will continue to add additional information in the future. For all who are interested, AC's information can be accessed on the APHIS Freedom of Information Act (FOIA) Web site (<http://foia.aphis.usda.gov>).

AC also responded to numerous animal-welfare-related FOIA requests the old-fashioned way. The next tabulation lists the number of FOIA requests received for the past 3 fiscal years.

### ANIMAL WELFARE CORRESPONDENCE RECEIVED BY APHIS, FY 1995-97

FY	Correspondence received/dispatched by headquarters	Correspondence received/dispatched by regional offices
1997	4,188	20,396
1996	6,155	37,736
1995	5,853	28,162

### ANIMAL-WELFARE-RELATED FOIA REQUESTS RECEIVED BY APHIS, FY 1995-97

FY	FOIA requests
1997	824*
1996	403
1995	507

\*This figure includes both official FOIA requests processed through APHIS' FOIA office and requests for inspection reports processed through AC's regional offices. In prior years, all such requests were processed through the FOIA office at headquarters; field-processed requests have been added to the number of headquarters-processed requests to reach an accurate total.



## ***Liaison With Other Federal Agencies***

AC serves on the Interagency Research Animal Committee, whose members come from Federal agencies involved in the care and use of animals in biomedical research. This committee is responsible for interagency coordination of animal care-and-use concerns and for making contributions to policy development. It also acts as a forum for information exchange and regulation development.

AC also maintains close working relationships with other Federal agencies that deal with animals on regulation and enforcement of the AWA. APHIS cooperated on numerous issues with the U.S. Department of Health and Human Services' National Institutes of Health, Centers for Disease Control and Prevention, and Food and Drug Administration; the Department of Defense; the Department of Veterans Affairs; the Marine Mammal Commission; the U.S. Department of Commerce's National Marine Fisheries Service; the U.S. Department of the Interior's U.S. Fish and Wildlife Service; and the Environmental Protection Agency.

## ***Cooperating and Communicating With Stakeholders***

In FY 1997, APHIS and the research community cosponsored a research internship program that sent two AC veterinarians to 6 intensive weeks of training at various research facilities and teaching institutions.

AC personnel also attended and participated in national meetings held by various organizations, including the International Association of Aquatic Animal Medicine, the Society of Marine Mammalogy, the Association of Aquatic Life Support System Operators, the North American Veterinary Conference, the American Association of Laboratory Animal Science International, and Public Responsibility in Medicine and Research.

In total, AC personnel attended more than 450 industry meetings and training sessions in FY 1997 and presented papers or informal talks at more than 70 of them. They also staffed an exhibit booth at seven of these meetings to answer questions and provide information on AC's enforcement of the AWA.

In addition, AC personnel actively interacted with organizations concerned about the humane care of animals. These organizations include the American Zoo and Aquarium Association, the National Association for Biomedical Research, Americans for Medical Progress, the American Association of Zoo Veterinarians, the Alliance for Marine Mammal Parks and Aquariums, the Association for the Assessment and Accreditation of Laboratory Animal Care International, and the Scientist's Center for Animal Welfare.

Additional cooperators include the Humane Society of the United States, the Animal Welfare Institute, the American Humane Association, the Animal Protection Institute, the Association of American Medical Colleges, and the Air Transport Association. AC is also represented in the United States Animal Health Association and has members on both its animal welfare and zoological committees.



## ***AWIC Focuses on Educational Efforts***

In FY 1997, the Animal Welfare Information Center staff responded to about 27,145 requests for reference services and specific publications, including copies of the AWIC Newsletter, and it distributed more than 38,000 publications. AWIC's web site (<http://www.nal.usda.gov/awic>) was also visited more than 1,300 times. The quarterly AWIC Newsletter continues to be sent to about 6,700 requestors in the United States and 38 foreign countries.

AWIC also trained more than 287 individuals in its workshop entitled "Meeting the Information Requirements of the Animal Welfare Act," which is held at the National Agricultural Library and at other locations throughout the country. In addition, AWIC officials interacted with more than 2,500 people who visited their booth at various conferences and witnessed more than 1,300 people attend presentations about AWIC and the animal welfare program at universities, conferences, and professional meetings.

AWIC staff also developed a computer CD ROM disk that contains numerous official documents related to animal welfare (such as the AWA itself and the National Institutes of Health's Guide for the Care and Use of Laboratory Animals). This project was funded by APHIS' AC, the U.S. Department of Health and Human Services' Public Health Service and National Institutes of Health, and NAL. Since December 1996, AWIC has distributed 1,263 copies of the disc.

Recently, AWIC officials have participated in a broadly supported effort to produce a searchable information resource on alternatives to animal experimentation. The site, currently called ALTWEB, is managed by the Johns Hopkins Center for Alternatives to Animal Testing.



## REGULATORY AND POLICY INITIATIVES

### **New “Pocket Pet” Policy**

In March 1997, AC began regulating retail dealers who sell small, exotic animals known as “pocket pets.” These animals include glider squirrels (sugar gliders), jerboas, and prairie dogs.

Retail stores that sell pocket pets are licensed as class “B” dealers and must pass a preclicensing inspection. Followup inspections of these facilities will be conducted on a complaint-driven basis with a minimum of one inspection every 3 years.

### **Doris Day Animal League Petition**

The Doris Day Animal League, an animal protection organization based in Washington, DC, petitioned USDA to amend its definition of “retail pet store” and require that dealers of dogs intended for hunting, breeding, and security be regulated under the AWA. APHIS published the petition in the Federal Register for public comment in late March 1997, with the comment period ending on May 27. APHIS officials estimate that they received 36,000 comments on the petition.

### **Input Sought on Training and Handling Dangerous Animals**

On July 24, 1997, AC published a *Federal Register* notice requesting information on current “best” practices for the training and handling of potentially dangerous wild and exotic animals. Among other things, the notice sought input on suggested experience requirements for animal handlers

and trainers, as well as on contingency plans for the recapture of escaped or uncontrollable animals. The extended comment period was still open at the end of FY 1997. AC intends to use the information received during the comment period to aid in developing future guidelines or rules on this issue.

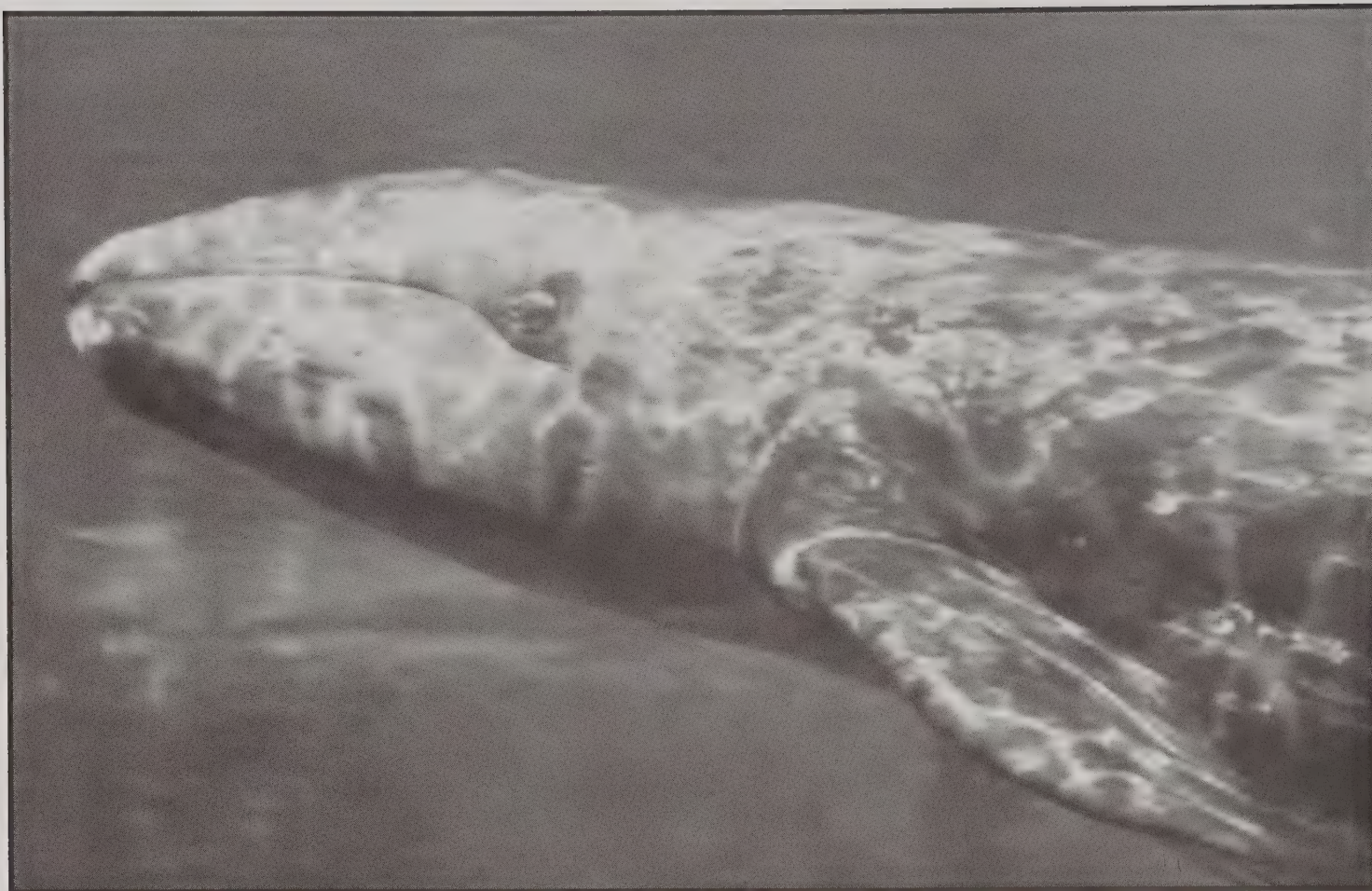


### **Perimeter Fencing Examined**

On May 6, 1997, APHIS published a proposed rule on perimeter fencing requirements for animals covered under the AWA, with emphasis on wild and exotic animals. The proposal does not apply to nonhuman primates, which are already covered under subpart D of the AWA regulations. In general, the proposed rule requires a perimeter fence of at least 6 feet in height for most animals and 8 feet in height for dangerous animals, such as elephants and large cats.

For marine mammals, the proposal's fencing requirements pertain only to the land, not water, portions of any enclosures. All requirements are designed to better contain the animals and to keep out unwanted animals. The comment period on the proposal closed July 7, and at the end of FY 1997, it was still undergoing Departmental review.





## ***Additional Regulatory Initiatives***

In addition to the initiatives discussed above, AC also continued to move forward on many other regulatory projects in FY 1997. The list below provides a brief status on these projects as of September 30, 1997.

**Marine Mammals**—A proposed rule on the consensus language to revise Title 9 CFR, Chapter 1, Subchapter A, Part 3, Subpart E (Marine Mammal Captive Care and Maintenance) was under review. Information was collected to determine how to proceed with the areas where consensus could not be achieved regarding revisions. A final rule on the “Swim-with-the-Dolphins” regulations (Title 9 CFR, Chapter 1, Subchapter A, part 3, Subpart E) remained under review.

**Animal Transport**—A regulatory workplan to alter Title 9 CFR, Chapter 1, Subchapter A, Part 3, Subpart F to set minimum age requirements for the transportation of exotic or wild animals was being considered.

**Animal Dealers**—Final rules pertaining to wire flooring and temperature requirements for dog housing (Title 9 CFR, Chapter 1, Subchapter A, Part 3.6) were under review.

**Recordkeeping Requirements**—A workplan to add minimum medical recordkeeping requirements (Title 9 CFR, Chapter 1, Subchapter A, Part 2.33 and 2.40) was under review.



## GLOSSARY

**Airport inspection**—Individual airline inspections of cargo and baggage areas made at airports for compliance with the AWA regulations and standards.

**Alleged violation**—A violation of the AWA regulations or standards that has been documented as existing but has not been legally concluded.

**Carrier**—The operator of any airline, railroad, motor carrier, shipping line, or other enterprise that is engaged in the business of transporting any animals for hire.

**Commerce**—Trade, traffic, or transportation that is between a place in a State and any place outside of such State (including foreign countries), or between points within the same State but through any place outside of the State.

**Complaints**—(1) A civil or administrative complaint informs the alleged violator of the AWA about allegations charged against him/her. (2) A public complaint is information received from citizens, humane groups, or others concerning possible violations of the AWA, regulations, or standards at animal facilities.

**Compliance**—The status of a facility that meets all of the regulatory requirements set forth in the AWA regulations and standards.

**Dealer**—Any person who, in commerce, for compensation or profit, delivers for transportation, or transports (except as a carrier), buys, or sells, or negotiates the purchase or sale of (1) any dog or other animal whether alive or dead (including unborn animals, organs, limbs, blood, serum, or other parts) for research, teaching, testing, experimentation, exhibition, or for use as a pet; or (2) any dog for hunting, security, or breeding purposes. The term dealer does not include a retail pet store unless such store sells any animals to a research facility, an exhibitor, or to a dealer (wholesale); or any person who does not sell, or negotiate the purchase or sale, of any wild or exotic animal, dog, or cat and who derives no more than \$500 gross income from the sale of animals, dogs, or cats, during any calendar year.

**Enforcement**—The activities undertaken by USDA and APHIS/AC and IES personnel to ensure that the AWA's regulations and standards are met. Enforcement includes developing alleged violation cases and taking action in the form of Letters of Warning, warning tickets, stipulations, administrative complaints, hearings, trials, and other legal procedures and methods to obtain compliance.

**Exhibitor**—Any person (public or private) exhibiting any animals which were purchased in commerce or the intended distribution of which affects commerce, or will affect commerce, to the public for compensation. Exhibitors include carnivals, circuses, animal acts, zoos, and educational exhibits, whether exhibiting for profit or not. The term exhibitor excludes most retail pet stores, horse and dog races, organizations sponsoring, and all persons participating in State and county fairs, livestock shows, rodeos, field trials, coursing events, purebred dog and cat shows, and any other fairs or exhibitions intended to advance agricultural arts and sciences.

**Facility**—A facility is the holder of the license or registration. Each facility may have only one license or registration number but may be physically divided into two or more sites.

**Inspections**—

- **Attempted inspection**—An inspection that could not be completed, including those where representatives of the inspected entities were not onsite or transportation facilities were found to have no animals present.
- **Compliance inspection**—An unannounced inspection completed, after licensing or registration, to determine the facility's compliance with the AWA regulations and standards. Compliance inspections include reinspections.
- **Prelicensing or Preregistration inspection**—An announced inspection made, after application for licensure or registration has been submitted, to ascertain compliance with the AWA regulations and standards prior to licensing or registering the facility. Prelicensing inspections are required. Preregistration inspections, although not required, are often performed upon request of the facility.
- **Reinspection**—An inspection made following a compliance inspection in which one or more violations were documented.

**Intermediate handler**—Any person who is engaged in any business receiving custody of animals in connection with their transportation in commerce. This definition excludes dealers, research facilities, exhibitors, operators of auction sales, and carriers.

*Investigation*—Inquiries and examination of allegation(s) that a person or facility is not complying with the AWA or its regulations or standards.

*License classes*—

- A *Class A licensee* is anyone meeting the definition of “dealer” whose business consists only of animals that are bred and raised on the premises in a closed or stable colony and those animals acquired for the sole purpose of maintaining or enhancing the breeding colony.
- A *Class B licensee* is anyone meeting the definition of a “dealer” whose business includes the purchase and/or resale of any animal. Class B licensees include brokers and operators of auction sales, as such individuals negotiate or arrange for the purchase, sale, or transport of animals in commerce.
- A *Class C licensee* is anyone meeting the definition of an “exhibitor” whose business involves the showing or displaying of animals to the public.

*Random source dogs and cats*—

Animals acquired from animal pounds and shelters, auction sales, or from any person who did not breed and raise the animals on his or her premises.

*Registrant*—Any research facility, carrier, intermediate handler, or exhibitor whose primary business is not required to be licensed by the AWA. If a registered facility conducts an activity that requires a license, then it will also be licensed for that activity. For example, some research facilities have a dealer license in addition to their registration because they occasionally sell surplus animals to other research facilities.

*Research facility*—Any school (other than elementary or secondary), institution, organization, or person that uses or intends to use live animals in research, tests, or experiments, and that; (1) purchases or transports live animals in commerce or, (2) receives funds under a grant, award, loan, or contract from a department, agency, or instrumentality of the United States for the purpose of carrying out research, tests, or experiments.

- An *active registered research facility* is a USDA-registered research facility that currently utilizes animals covered by the AWA for teaching, testing, or experimentation.
- An *inactive registered research facility* is a USDA-registered research facility that *currently* does not utilize animals covered by the AWA for teaching, testing, or experimentation.

*Retail pet store*—Any outlet where only the following animals are sold or offered for sale, at retail, for use as pets: dogs, cats, rabbits, guinea pigs, hamsters, gerbils, rats, mice, gophers, chinchillas, domestic ferrets, domestic farm animals, birds, coldblooded species, and other common small pets. Retail pet stores do not include any establishment or persons who (1) deal in dogs used for hunting, security, or breeding purposes; (2) exhibit, sell, or offer to exhibit or sell, any wild or exotic or other nonpet species of warmblooded animals (except birds) such as skunks, raccoons, nonhuman primates, squirrels, ocelots, foxes, coyotes, etc.; (3) sell warmblooded animals (except birds and laboratory rats and mice) for research or exhibition purposes; (4) wholesale any animals (except birds and laboratory rats and mice); or (5) exhibit pet animals in a room that is separate from or adjacent to the retail pet store, or in an outside area, or anywhere off the retail pet store premises.

*Search*—Activity associated with finding unlicensed or unregistered entities.

*Site*—The physical location where animals are used, housed, or maintained by a licensed or registered facility. A licensed or registered facility may have one or more animal sites. A site may be a room, building, outdoor run area, or similar type of facility used to hold or work on animals.

*Stipulation*—An agreement by a violator to accept assessment of a civil penalty, license suspension, or combination of both. The stipulation procedure is used instead of formal administrative hearings. Alleged violators are offered the opportunity to waive a hearing by agreeing to enter into a stipulation, in which case they will pay a specified civil penalty and/or have their license suspended for a specified period.

*Violation*—An area or item, at a registered or licensed facility, found to be out of compliance with the regulations or standards of the AWA.



# APPENDIX

**TABLE 1. NUMBER OF LICENSEES AND REGISTRANTS, BY FACILITIES AND NUMBER OF SITES (FY 1997)**

	Registered intermediate handlers		Registered carriers		Licensed Class A dealers		Licensed Class B dealers		Licensed exhibitors		Registered exhibitors		Active research facilities		Inactive research facilities	
	Facilities	Sites	Facilities	Sites	Facilities	Sites	Facilities	Sites	Facilities	Sites	Facilities	Sites	Facilities	Sites	Facilities	Sites
<b>Total United States</b>	309	465	96	732	2,996	3,151	1,047	1,236	2,105	2,510	23	30	1,243	2,410	39	52
Alabama	2	3	0	17	6	7	13	12	29	33	0	0	14	42	0	0
Alaska	3	4	4	12	0	0	0	0	11	11	0	0	4	7	0	0
Arizona	14	18	2	5	6	6	6	10	33	45	0	0	10	22	0	0
Arkansas	1	2	0	26	148	156	20	26	24	32	0	0	9	16	0	0
California	33	56	9	57	21	24	19	21	217	289	2	5	167	290	15	16
Colorado	8	10	3	2	10	11	6	6	30	39	0	0	19	40	3	3
Connecticut	8	12	1	5	0	0	2	3	37	39	0	0	21	29	1	1
Delaware	0	0	0	0	0	0	3	4	5	5	0	0	8	11	0	0
District of Columbia	0	2	0	1	0	0	0	0	0	0	0	0	6	11	0	0
Florida	28	52	6	61	30	38	57	68	239	299	1	1	22	58	3	4
Georgia	14	16	2	23	22	22	16	16	40	46	2	2	18	52	0	0
Guam	1	2	0	1	0	0	0	0	1	2	0	0	0	0	0	0
Hawaii	26	27	5	27	0	0	0	0	15	18	0	0	2	7	0	0
Idaho	0	0	0	5	3	3	1	1	12	13	0	0	3	8	1	1
Illinois	9	8	2	15	41	41	29	28	128	136	2	2	41	59	0	0
Indiana	4	6	2	18	34	35	38	40	59	64	0	0	23	47	0	0
Iowa	0	3	1	25	292	308	63	73	32	35	0	0	17	45	0	0
Kansas	0	0	1	8	387	397	66	84	24	27	0	0	19	28	1	1
Kentucky	4	8	1	8	8	10	10	10	13	12	1	1	10	28	1	1
Louisiana	1	3	0	8	17	17	8	8	18	20	0	0	12	35	0	0
Maine	3	6	0	2	1	1	4	6	8	10	0	0	11	14	0	0
Maryland	7	16	0	13	1	1	4	8	16	18	0	0	44	64	1	1
Massachusetts	4	8	1	3	7	9	9	12	37	46	1	1	82	141	0	0
Michigan	3	6	2	32	18	15	37	57	68	76	5	7	34	106	0	0
Minnesota	1	1	2	8	77	79	39	39	54	54	2	2	29	59	0	0
Mississippi	0	0	0	5	5	5	4	5	13	13	0	0	6	13	0	0
Missouri	6	7	3	34	970	1014	137	171	43	60	0	0	39	75	0	0
Montana	0	0	1	17	10	10	2	2	17	19	0	0	6	10	1	1
Nebraska	1	1	0	6	137	138	18	18	11	11	0	0	13	20	0	0
Nevada	3	5	1	0	4	4	7	7	48	60	0	0	2	5	0	0
New Hampshire	1	1	1	0	1	1	0	1	18	20	0	0	3	4	0	0
New Jersey	6	7	2	4	8	6	18	18	35	41	0	0	48	75	0	0
New Mexico	4	5	4	0	0	0	2	2	12	25	0	0	11	27	0	0
New York	21	30	6	15	17	20	30	32	105	117	0	0	98	147	2	2
North Carolina	5	11	2	24	6	6	18	24	29	33	1	1	23	83	1	2
North Dakota	1	1	0	22	25	26	6	7	10	15	1	1	3	3	0	0
Ohio	7	9	1	15	23	25	33	39	60	77	3	4	46	95	1	4
Oklahoma	3	5	0	17	320	339	52	57	20	23	0	0	18	34	0	0
Oregon	3	4	1	5	33	35	34	39	28	32	0	0	11	24	2	3
Pennsylvania	15	18	1	8	95	105	44	52	79	92	0	0	79	123	1	2
Puerto Rico	1	2	5	16	1	1	1	1	7	8	0	0	8	11	0	0
Rhode Island	1	1	0	2	0	0	0	0	7	9	0	0	7	15	0	0
South Carolina	2	3	0	13	7	11	5	5	15	15	0	0	7	17	0	0
South Dakota	0	0	0	21	73	74	15	20	17	21	0	0	5	9	0	0
Tennessee	4	9	2	24	8	8	12	13	25	27	0	0	17	34	2	3
Texas	23	42	6	65	92	99	105	129	175	221	0	0	80	146	0	0
Utah	3	3	2	8	2	3	1	1	11	11	0	0	8	32	0	0
Vermont	2	3	0	0	1	1	2	2	3	3	0	0	2	2	0	0
Virgin Islands	1	1	0	3	0	0	0	0	0	0	0	0	0	0	0	0
Virginia	11	14	3	5	1	2	10	14	43	54	1	1	15	30	0	0
Washington	7	10	7	6	11	11	13	14	27	31	0	0	27	53	3	7
West Virginia	1	1	0	1	1	1	11	12	13	15	0	0	4	8	0	0
Wisconsin	3	3	4	14	15	25	17	19	83	87	1	2	29	87	0	0
Wyoming	0	0	0	0	1	1	0	0	1	1	0	0	3	9	0	0

**TABLE 2. ANIMALS USED IN RESEARCH (FY 1997)**

	Number of registrants	Number of all animals	Dogs	Cats	Primates	Guinea pigs	Hamsters	Rabbits	Sheep	Pigs	Other farm animals	Other animals
<b>Total United States</b>	1,522	1,267,828	75,429	26,091	56,381	272,797	217,079	309,322	33,048	73,995	52,699	150,987
<b>Total Research</b>	1,282	1,108,938	73,580	25,408	51,619	255,780	196,166	296,841	18,686	63,566	32,239	95,053
<b>Federal Agencies</b>	240	158,890	1,849	683	4,762	17,017	20,913	12,481	14,362	10,429	20,460	55,934
Alabama	18	8,524	2,078	420	630	1,203	59	2,344	62	554	535	639
Alaska	7	406	13	8	0	0	0	0	0	0	0	385
Arizona	13	5,956	496	78	121	248	472	1,113	44	515	43	2,826
Arkansas	12	2,565	264	51	193	660	108	785	0	290	0	214
California	201	190,236	3,295	3,857	6,266	39,586	31,851	70,608	4,929	6,594	8,405	14,845
Colorado	27	10,511	1,383	645	65	2,973	812	1,544	746	386	174	1,783
Connecticut	24	9,596	1,047	98	239	1,395	1,249	3,187	6	829	40	1,506
Delaware	10	17,468	1,775	195	31	4,973	4,985	4,185	0	50	0	1,274
District of Columbia	10	5,528	218	281	242	758	892	714	32	902	12	1,477
Florida	32	16,486	635	592	868	1,631	526	2,953	239	835	174	8,033
Georgia	23	63,061	2,244	747	3,268	2,957	11,221	6,950	53	2,209	623	32,789
Guam	0	0	0	0	0	0	0	0	0	0	0	0
Hawaii	5	367	0	1	16	165	0	50	0	106	17	12
Idaho	6	3,667	23	8	0	12	0	162	3,088	0	0	374
Illinois	48	33,851	2,732	939	822	8,025	5,368	9,191	451	1,867	526	3,930
Indiana	26	12,258	3,192	425	283	1,730	1,082	2,998	178	1,413	291	666
Iowa	23	62,667	2,886	1,631	9	6,557	37,517	5,354	252	4,557	3,600	304
Kansas	22	29,354	1,730	713	108	5,009	15,989	3,562	117	867	407	852
Kentucky	13	4,801	346	147	117	581	843	2,058	33	210	8	458
Louisiana	16	17,627	1,190	571	10,294	1,123	321	2,151	290	628	171	888
Maine	12	837	0	3	0	38	40	228	0	96	432	0
Maryland	60	59,454	1,552	743	4,808	13,838	11,965	11,660	712	2,960	293	10,923
Massachusetts	90	58,009	1,310	325	3,130	16,040	16,251	12,261	1,257	4,046	1,087	2,302
Michigan	39	32,418	3,942	1,300	856	7,021	1,339	8,747	536	775	174	7,728
Minnesota	31	27,491	2,392	411	288	6,885	9,298	3,846	762	2,242	884	483
Mississippi	9	1,858	383	43	87	24	226	407	7	590	76	15
Missouri	43	38,538	3,335	2,210	83	9,698	11,155	5,808	589	2,480	1,191	1,989
Montana	10	4,079	9	36	25	346	0	2,047	122	0	25	1,469
Nebraska	16	68,784	791	363	64	2,794	15,753	2,492	11,066	12,971	21,055	1,435
Nevada	5	3,469	166	0	1,405	862	6	94	308	0	0	628
New Hampshire	4	610	9	50	0	16	22	263	15	215	2	18
New Jersey	50	76,298	5,855	925	2,516	30,609	4,934	23,628	132	2,094	114	5,491
New Mexico	13	1,921	186	0	471	209	261	55	159	94	0	486
New York	113	50,581	4,113	1,384	1,906	12,561	6,652	9,955	964	2,187	1,884	8,975
North Carolina	31	34,573	1,779	701	2,206	10,661	2,065	12,136	214	3,146	222	1,443
North Dakota	7	406	31	45	0	36	0	10	144	93	19	28
Ohio	54	60,461	4,820	761	686	25,946	2,016	16,291	208	5,100	242	4,391
Oklahoma	20	3,211	737	210	71	582	106	418	63	48	97	879
Oregon	17	4,499	185	69	1,160	718	793	910	46	118	2	498
Pennsylvania	89	94,330	6,310	2,192	1,974	32,567	3,925	39,922	872	2,219	1,201	3,148
Puerto Rico	9	2,302	88	0	1,806	36	106	54	0	11	0	201
Rhode Island	8	1,797	15	121	36	132	24	164	190	271	249	595
South Carolina	9	11,010	249	321	153	186	287	571	0	398	49	8,796
South Dakota	8	4,495	49	24	0	20	117	515	1,349	558	1,804	59
Tennessee	24	10,411	1,101	207	211	1,095	1,344	3,964	102	1,381	71	935
Texas	100	45,591	2,741	891	3,909	6,254	4,890	14,887	1,010	2,712	3,502	4,795
Utah	11	3,122	577	59	7	541	465	901	198	154	39	181
Vermont	3	1,012	16	8	0	383	104	256	0	97	2	146
Virgin Islands	0	0	0	0	0	0	0	0	0	0	0	0
Virginia	19	15,164	1,669	292	1,142	819	1,682	5,754	78	892	331	2,505
Washington	37	17,413	1,275	243	888	3,132	2,000	3,597	316	485	136	5,341
West Virginia	8	1,483	55	92	9	637	51	339	63	20	0	217
Wisconsin	32	36,755	4,124	642	2,912	8,519	5,904	7,225	1,033	2,727	2,449	1,220
Wyoming	5	517	18	13	0	6	3	8	13	3	41	412



**TABLE 3. ANIMALS USED IN RESEARCH, NO PAIN OR DISTRESS—  
NO DRUGS NEEDED FOR RELIEF (FY 1997)**

	Number of registrants	Number of all animals	Dogs	Cats	Primates	Guinea pigs	Hamsters	Rabbits	Sheep	Pigs	Other farm animals	Other animals
<b>Total United States</b>	1,522	685,154	32,840	12,322	32,763	159,097	113,346	166,450	21,645	29,850	43,785	73,056
<b>Total Research Federal Agencies</b>	1,282 240	608,984 76,170	32,673 167	12,080 242	30,524 2,239	154,075 5,022	103,543 9,803	163,560 2,890	8,171 13,474	23,957 5,893	25,136 18,649	55,265 17,791
Alabama	18	2,719	445	123	15	329	55	834	17	43	500	358
Alaska	7	97	0	8	0	0	0	0	0	0	0	89
Arizona	13	3,396	88	0	76	143	135	303	0	134	19	2,498
Arkansas	12	718	122	24	71	0	102	252	0	0	0	147
California	201	103,082	971	1,672	3,924	24,706	15,090	38,538	2,221	2,419	5,960	7,581
Colorado	27	4,962	1,136	430	0	844	345	553	119	18	165	1,352
Connecticut	24	1,998	186	2	47	274	431	617	0	43	12	386
Delaware	10	7,926	1,092	185	26	1,398	2,972	1,618	0	2	0	633
District of Columbia	10	2,349	10	64	87	271	615	328	12	0	0	962
Florida	32	6,574	157	49	717	1,420	326	1,288	38	50	70	2,459
Georgia	23	18,087	1,033	282	1,344	584	5,878	300	16	76	188	8,386
Guam	0	0	0	0	0	0	0	0	0	0	0	0
Hawaii	5	45	0	1	9	25	0	3	0	0	0	7
Idaho	6	2,748	0	2	0	12	0	34	2,510	0	0	190
Illinois	48	17,756	891	445	379	4,619	2,525	5,796	305	756	466	1,574
Indiana	26	6,680	1,577	233	266	556	382	1,889	6	962	207	602
Iowa	23	27,764	1,660	1,068	1	1,908	15,155	942	127	3,395	3,424	84
Kansas	22	12,698	1,450	553	0	764	7,852	164	116	774	329	696
Kentucky	13	1,122	13	0	4	107	278	564	33	0	6	117
Louisiana	16	11,472	186	409	8,914	225	321	318	290	320	94	395
Maine	12	741	0	3	0	38	40	228	0	0	432	0
Maryland	60	23,450	250	108	2,288	5,391	8,330	5,610	185	295	107	886
Massachusetts	90	30,395	455	76	827	12,705	8,870	5,469	316	716	134	827
Michigan	39	17,490	1,924	354	721	2,915	396	4,923	110	106	70	5,971
Minnesota	31	12,458	548	275	24	4,164	4,023	1,872	145	585	713	109
Mississippi	9	1,499	169	43	75	24	226	407	7	476	72	0
Missouri	43	18,850	2,163	1,917	25	5,976	2,048	3,159	418	1,369	1009	766
Montana	10	3,006	9	32	25	202	0	1,327	0	0	6	1,405
Nebraska	16	63,740	487	131	45	2,448	15,171	1,869	11,005	11,944	19,966	674
Nevada	5	2,974	154	0	1,234	784	6	94	74	0	0	628
New Hampshire	4	133	0	0	0	16	22	61	0	26	2	6
New Jersey	50	46,564	2,814	197	1,115	18,045	3,712	15,344	99	266	50	4,922
New Mexico	13	669	111	0	154	136	158	32	0	0	0	78
New York	113	24,287	1,454	601	946	6,648	3,879	3,516	48	33	1,823	5,339
North Carolina	31	17,842	609	246	735	6,725	240	8,352	76	382	156	321
North Dakota	7	98	23	28	0	6	0	7	0	3	3	28
Ohio	54	37,911	2,276	381	459	21,246	587	11,402	55	371	105	1,029
Oklahoma	20	890	235	39	0	406	2	20	23	8	31	126
Oregon	17	1,139	41	12	216	14	358	6	0	0	0	492
Pennsylvania	89	64,217	3,524	1,373	1,008	20,273	2,134	32,377	447	476	1,034	1,571
Puerto Rico	9	825	0	0	750	30	10	35	0	0	0	0
Rhode Island	8	292	0	0	5	0	0	14	0	0	0	273
South Carolina	9	6,538	0	128	0	0	56	63	0	2	0	6,289
South Dakota	8	3,618	21	22	0	10	6	5	1,349	410	1,748	47
Tennessee	24	2,236	81	62	61	144	868	613	4	12	71	320
Texas	100	25,778	976	435	2,581	4,823	2,417	6,586	491	814	2,349	4,306
Utah	11	1,626	67	8	0	379	450	359	48	118	16	181
Vermont	3	664	4	4	0	383	104	26	0	1	2	140
Virgin Islands	0	0	0	0	0	0	0	0	0	0	0	0
Virginia	19	5,778	749	11	498	359	349	2,243	32	192	210	1,135
Washington	37	9,291	452	132	702	238	1,542	875	107	23	61	5,159
West Virginia	8	167	0	0	0	70	15	64	0	0	0	18
Wisconsin	32	27,390	2,227	150	2,389	6,308	4,862	5,143	783	2,227	2,161	1,140
Wyoming	5	405	0	4	0	6	3	8	13	3	14	354

**TABLE 4. ANIMALS USED IN RESEARCH, WITH PAIN OR DISTRESS—  
DRUGS USED FOR RELIEF (FY 1997)**

	Number of registrants	Number of all animals	Dogs	Cats	Primates	Guinea pigs	Hamsters	Rabbits	Sheep	Pigs	Other farm animals	Other animals
<b>Total United States</b>	1,522	481,514	40,918	13,391	22,778	75,901	57,495	133,006	11,331	42,487	8,665	75,542
<b>Total Research</b>	1,282	404,947	39,453	12,963	20,449	66,393	48,356	123,782	10,443	38,429	6,903	37,776
<b>Federal Agencies</b>	240	76,567	1,465	428	2,329	9,508	9,139	9,224	888	4,058	1,762	37,776
Alabama	18	5,710	1,550	297	603	874	4	1,510	45	511	35	281
Alaska	7	309	13	0	0	0	0	0	0	0	0	296
Arizona	13	2,560	408	78	45	105	337	810	44	381	24	328
Arkansas	12	936	20	27	4	408	6	265	0	139	0	67
California	201	80,554	2,222	2,185	2,277	9,734	16,736	31,306	2,688	4,063	2,299	7,044
Colorado	27	3,479	247	215	45	515	397	902	612	338	9	199
Connecticut	24	7,149	859	96	114	1,121	806	2,263	6	786	28	1,070
Delaware	10	7,526	619	10	5	3,455	274	2,474	0	48	0	641
District of Columbia	10	2,848	208	217	147	247	194	386	20	902	12	515
Florida	32	9,734	474	543	106	211	200	1,536	201	785	104	5,574
Georgia	23	39,879	1,095	413	1,854	2,250	2,762	4,575	37	2,133	435	24,325
Guam	0	0	0	0	0	0	0	0	0	0	0	0
Hawaii	5	315	0	0	0	140	0	47	0	106	17	5
Idaho	6	791	23	6	0	0	0	0	578	0	0	184
Illinois	48	14,180	1,734	494	431	2,911	2,571	3,302	146	1,096	60	1,435
Indiana	26	5,474	1,519	192	9	1,174	700	1,109	172	451	84	64
Iowa	23	9,277	961	434	8	3,299	384	3,021	92	726	132	220
Kansas	22	6,936	280	160	108	2,244	1,071	2,747	1	93	76	156
Kentucky	13	3,679	333	147	113	474	565	1,494	0	210	2	341
Louisiana	16	6,155	1,004	162	1,380	898	0	1,833	0	308	77	493
Maine	12	96	0	0	0	0	0	0	0	96	0	0
Maryland	60	32,690	1,156	635	2,470	5,929	3,562	5,763	527	2,665	186	9,797
Massachusetts	90	25,979	855	249	2,299	2,683	6,537	6,768	941	3,244	928	1,475
Michigan	39	13,248	1,995	933	104	2,852	864	3,544	426	669	104	1,757
Minnesota	31	10,814	1,838	94	264	2,659	1,215	1,925	617	1,657	171	374
Mississippi	9	347	214	0	0	0	0	0	0	114	4	15
Missouri	43	11,280	1,172	293	58	1,650	2,847	2,575	171	1,111	180	1,223
Montana	10	929	0	4	0	0	0	720	122	0	19	64
Nebraska	16	4,985	304	232	19	346	582	564	61	1,027	1,089	761
Nevada	5	495	12	0	171	78	0	0	234	0	0	0
New Hampshire	4	417	9	50	0	0	0	166	15	177	0	0
New Jersey	50	26,200	3,004	728	1,301	10,765	902	7,054	33	1,790	54	569
New Mexico	13	1,219	75	0	308	49	103	23	159	94	0	408
New York	113	22,108	2,460	783	933	3,458	2,028	6,387	916	1,757	41	3,345
North Carolina	31	13,929	1,154	455	1,471	1,589	1,825	3,567	138	2,554	66	1,110
North Dakota	7	308	8	17	0	30	0	3	144	90	16	0
Ohio	54	19,862	2,544	380	227	2,668	1,429	4,566	153	4,729	137	3,029
Oklahoma	20	2,321	502	171	71	176	104	398	40	40	66	753
Oregon	17	3,360	144	57	944	704	435	904	46	118	2	6
Pennsylvania	89	22,811	2,561	677	905	5,704	1,789	7,263	425	1,743	167	1,577
Puerto Rico	9	1,477	88	0	1,056	6	96	19	0	11	0	201
Rhode Island	8	1,505	15	121	31	132	24	150	190	271	249	322
South Carolina	9	4,472	249	193	153	186	231	508	0	396	49	2,507
South Dakota	8	738	28	2	0	10	111	510	0	9	56	12
Tennessee	24	8,147	992	145	150	951	476	3,351	98	1,369	0	615
Texas	100	18,874	1,735	456	1,254	1,120	2,444	7,842	515	1,866	1,153	489
Utah	11	1,496	510	51	7	162	15	542	150	36	23	0
Vermont	3	348	12	4	0	0	0	230	0	96	0	6
Virgin Islands	0	0	0	0	0	0	0	0	0	0	0	0
Virginia	19	9,357	920	281	615	460	1,333	3,511	46	700	121	1,370
Washington	37	5,411	823	111	186	205	458	2,700	209	462	75	182
West Virginia	8	1,316	55	92	9	567	36	275	63	20	0	199
Wisconsin	32	7,372	1,897	492	523	702	1,042	1,598	250	500	288	80
Wyoming	5	112	18	9	0	0	0	0	0	0	27	58



**TABLE 5. ANIMALS USED IN RESEARCH, WITH PAIN OR DISTRESS—  
NO DRUGS USED FOR RELIEF (FY 1997)**

	Number of registrants	Number of all animals	Dogs	Cats	Primates	Guinea pigs	Hamsters	Rabbits	Sheep	Pigs	Other farm animals	Other animals
<b>Total United States</b>	1,522	101,160	1,671	378	840	37,799	46,238	9,866	72	1,658	249	2,389
<b>Total Research</b>	1,282	95,007	1,454	365	646	35,312	44,267	9,499	72	1,180	200	2,012
<b>Federal Agencies</b>	240	6,153	217	13	194	2,487	1,971	367	0	478	49	377
Alabama	18	95	83	0	12	0	0	0	0	0	0	0
Alaska	7	0	0	0	0	0	0	0	0	0	0	0
Arizona	13	0	0	0	0	0	0	0	0	0	0	0
Arkansas	12	911	122	0	118	252	0	268	0	151	0	0
California	201	6,600	102	0	65	5,146	25	764	20	112	146	220
Colorado	27	2,070	0	0	20	1,614	70	89	15	30	0	232
Connecticut	24	449	2	0	78	0	12	307	0	0	0	50
Delaware	10	2,016	64	0	0	120	1,739	93	0	0	0	0
District of Columbia	10	331	0	0	8	240	83	0	0	0	0	0
Florida	32	178	4	0	45	0	0	129	0	0	0	0
Georgia	23	5,095	116	52	70	123	2,581	2,075	0	0	0	78
Guam	0	0	0	0	0	0	0	0	0	0	0	0
Hawaii	5	7	0	0	7	0	0	0	0	0	0	0
Idaho	6	128	0	0	0	0	0	128	0	0	0	0
Illinois	48	1,915	107	0	12	495	272	93	0	15	0	921
Indiana	26	104	96	0	8	0	0	0	0	0	0	0
Iowa	23	25,626	265	129	0	1,350	21,978	1,391	33	436	44	0
Kansas	22	9,720	0	0	0	2,001	7,066	651	0	0	2	0
Kentucky	13	0	0	0	0	0	0	0	0	0	0	0
Louisiana	16	0	0	0	0	0	0	0	0	0	0	0
Maine	12	0	0	0	0	0	0	0	0	0	0	0
Maryland	60	3,314	146	0	50	2,518	73	287	0	0	0	240
Massachusetts	90	1,635	0	0	4	652	844	24	0	86	25	0
Michigan	39	1,680	23	13	31	1,254	79	280	0	0	0	0
Minnesota	31	4,219	6	42	0	62	4,060	49	0	0	0	0
Mississippi	9	12	0	0	12	0	0	0	0	0	0	0
Missouri	43	8,408	0	0	0	2,072	6,260	74	0	0	2	0
Montana	10	144	0	0	0	144	0	0	0	0	0	0
Nebraska	16	59	0	0	0	0	0	59	0	0	0	0
Nevada	5	0	0	0	0	0	0	0	0	0	0	0
New Hampshire	4	60	0	0	0	0	0	36	0	12	0	12
New Jersey	50	3,534	37	0	100	1,799	320	1,230	0	38	10	0
New Mexico	13	33	0	0	9	24	0	0	0	0	0	0
New York	113	4,186	199	0	27	2,455	745	52	0	397	20	291
North Carolina	31	2,802	16	0	0	2,347	0	217	0	210	0	12
North Dakota	7	0	0	0	0	0	0	0	0	0	0	0
Ohio	54	2,688	0	0	0	2,032	0	323	0	0	0	333
Oklahoma	20	0	0	0	0	0	0	0	0	0	0	0
Oregon	17	0	0	0	0	0	0	0	0	0	0	0
Pennsylvania	89	7,302	225	142	61	6,590	2	282	0	0	0	0
Puerto Rico	9	0	0	0	0	0	0	0	0	0	0	0
Rhode Island	8	0	0	0	0	0	0	0	0	0	0	0
South Carolina	9	0	0	0	0	0	0	0	0	0	0	0
South Dakota	8	139	0	0	0	0	0	0	0	139	0	0
Tennessee	24	28	28	0	0	0	0	0	0	0	0	0
Texas	100	939	30	0	74	311	29	459	4	32	0	0
Utah	11	0	0	0	0	0	0	0	0	0	0	0
Vermont	3	0	0	0	0	0	0	0	0	0	0	0
Virgin Islands	0	0	0	0	0	0	0	0	0	0	0	0
Virginia	19	29	0	0	29	0	0	0	0	0	0	0
Washington	37	2,711	0	0	0	2,689	0	22	0	0	0	0
West Virginia	8	0	0	0	0	0	0	0	0	0	0	0
Wisconsin	32	1,993	0	0	0	1,509	0	484	0	0	0	0
Wyoming	5	0	0	0	0	0	0	0	0	0	0	0

**TABLE 6. NUMBER OF ANIMALS USED BY RESEARCH FROM THE FIRST REPORTING YEAR (1973) TO THE PRESENT**

FY	Dogs	Cats	Primates	Guinea pigs	Hamsters	Rabbits	Farm animals	Other covered animals <sup>1</sup>	Totals
1973	195,157	66,195	42,298	408,970	454,986	447,570		38,169	<sup>2</sup> 1,653,345
1974	199,204	74,259	51,253	430,439	430,766	425,585		81,021	1,692,527
1975	154,489	51,439	36,202	436,446	456,031	448,530		42,523	<sup>2</sup> 1,625,660
1976	210,330	70,468	50,115	486,310	503,590	527,551		73,736	<sup>2</sup> 1,922,100
1977	176,430	62,311	53,116	348,741	393,533	439,003		46,535	<sup>2</sup> 1,519,669
1978	197,010	65,929	57,009	419,341	414,394	475,162		58,356	1,687,201
1979	211,104	69,103	59,359	457,134	419,504	539,594		76,247	1,832,045
1980	188,783	68,482	56,024	422,390	405,826	471,297		49,102	1,661,904
1981	188,649	58,090	57,515	432,632	397,522	473,922		50,111	<sup>2</sup> 1,658,441
1982	161,396	49,923	46,388	459,246	337,790	453,506		69,043	<sup>2</sup> 1,577,292
1983	174,542	53,344	54,926	485,048	337,023	466,810		108,549	1,680,242
1984	201,936	56,910	55,338	561,184	437,123	529,101		232,541	2,074,133
1985	194,905	59,211	57,271	598,903	414,460	544,621		284,416	2,153,787
1986	176,141	54,125	48,540	462,699	370,655	521,773		144,470	1,778,403
1987	180,169	50,145	61,392	538,998	416,002	554,385		168,032	1,969,123
1988	140,471	42,271	51,641	431,457	331,945	459,254		178,249	1,635,288
1989	156,443	50,812	51,688	481,712	389,042	471,037		153,722	1,754,456
1990	109,992	33,700	47,177	352,627	311,068	399,264	<sup>3</sup> 66,702	<sup>3</sup> 257,569	1,578,099
1991	107,908	34,613	42,620	378,582	304,207	396,046	214,759	363,685	1,842,420
1992	124,161	38,592	55,105	375,063	369,585	431,432	210,936	529,308	2,134,182
1993	106,191	33,991	49,561	392,138	318,268	426,501	<sup>4</sup> 165,416	<sup>4</sup> 212,309	<sup>4</sup> 1,704,505
1994	101,090	32,610	55,113	360,184	298,934	393,751	180,667	202,300	1,624,649
1995	89,420	29,569	50,206	333,379	248,402	354,076	163,985	126,426	1,395,463
1996	82,454	26,035	52,327	299,011	246,415	338,574	154,344	146,579	1,345,739
1997	75,429	26,091	56,381	272,797	217,079	309,322	159,742	150,987	1,267,828

<sup>1</sup>This category includes other covered species not specifically stated in the regulations, such as bears, armadillos, squirrels, wild rodents, etc. It *does not* include noncovered species, such as rats and mice bred for laboratory use, frogs, lizards, birds, etc.

<sup>2</sup> These numbers reflect minor corrections from what was reported in the original annual reports of enforcement for the specified fiscal years.

<sup>3</sup>Traditional farm animals used for research purposes have been reported only since 1990. Also, beginning in 1990, the category of "Wild Animal" was renamed to "Other Animal."

<sup>4</sup>These numbers have been corrected from what was reported in the annual report of enforcement for FY 1993. The reported numbers were: Farm animals (365,233); Other animals (677,556); and Total (2,369,439). The error was due to the inadvertent counting of noncovered species in these categories.











